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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Fifth periodic report submitted by Kazakhstan under article 18 of the Convention, due in 2018*

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* The present document is being issued without formal editing.

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Introduction

1. The fifth periodic report of the Republic of Kazakhstan on the implementation of the Convention on the Elimination of All Forms of Discrimination against Women (hereinafter — the Convention) is hereby submitted to the Committee on the Elimination of Discrimination against Women (hereinafter — the Committee) in accordance with the guidelines on the form and content of reports to be submitted by States parties to the international human rights treaties, issued in 2008.

2. The report was prepared by a working group of the National Commission on Women's Affairs and Family and Demographic Policy attached to the Office of the President (hereinafter — the National Commission) and was approved by the Secretary of State. Deputies of the Majilis [lower house] of Parliament, members of the National Commission, and representatives of ministries, departments and non-governmental organizations (hereinafter — NGOs), took part in the preparation of the report.

3. A public review of the draft report was conducted at meetings and round tables organized with broad participation of representatives of civil society institutions which were not part of the working group. In addition, the draft report was considered at a meeting of the National Commission on 24 November 2017, and also, jointly with the United Nations Development Programme (UNDP) in Kazakhstan, a public presentation of the draft report took place along with a public discussion, with the participation of international organizations, at the Consultative and Advisory Body dialogue platform on the human dimension (CAB-DPHD) under the Ministry of Foreign Affairs (30 November 2017), as well as at a meeting of the Committee on social and cultural development of the Majilis (12 December 2017).

4. The report includes analytical material submitted by all ministries and departments and by the commissions on women's affairs and family and demographic policy of the akims [administrative heads] of Astana, Almaty and the provinces (hereinafter — the regional commissions), taking into account the Committee's concluding observations on the combined third and fourth periodic reports of Kazakhstan (hereinafter — the Committee's concluding observations).

5. This fifth periodic report (hereinafter — the report) provides information on the main developments and the progress made by Kazakhstan in ensuring the economic, social, cultural, civil and political rights of women on an equal basis with men during the 2011-2017 reporting period with a view to implementing the Convention. The report consists of two parts: part I provides general information on Kazakhstan, its population, political structure and laws protecting human rights, as well as a description of measures to increase the awareness of the public and the authorities about the human rights set forth in the various human rights instruments; part II provides special information, article by article of the Convention, on existing constitutional, legislative, administrative and other measures, progress made, obstacles encountered and action planned for its further implementation.

6. In addition to the Convention, Kazakhstan has also adhered to a number of other international obligations, including the Beijing Declaration and Platform for Action and the Sustainable Development Goals (SDGs). The implementation of gender equality policy is based on the principles of an integrated gender approach involving a comprehensive definition of equality, valuing diversity and the existence of differences. Based on the results of the 2016 RIA (Rapid Integrated Assessment) MAPS (Mainstreaming, Acceleration, Policy Support) Mission, 61 per cent of the targets of the SDGs have been incorporated into national and sectoral plans and strategies in Kazakhstan. At the end of 2017, in the Global Gender Gap Index of the World Economic Forum (WEF), Kazakhstan was ranked 52nd out of 144 countries.

For the indicator "economic participation and opportunity", Kazakhstan was in 30th place, "educational attainment" — 48th place, "health and survival" — 36th place and "political empowerment" — 93rd place.

7. The Government of Kazakhstan expresses its appreciation to international organizations for their effective partnership and comprehensive support.

Part I. General information

The country and the population in 2011–2017 (basic gender characteristics)

8. Kazakhstan covers an area of 2.7 million square kilometres, making it one of the world's 10 largest countries. The population of Kazakhstan at the beginning of 2017 was 17.9 million, including 9.2 million women (51.6%), and 8.7 million men (48.4%). There were 5.6 million children under 18 years of age, including 2.7 million girls (48.6%) and 2.9 million boys (51.4%). The proportion of older persons (65 years of age and older) at the beginning of 2017 was 7.2 per cent. Thus, Kazakhstan has already passed the 7 per cent threshold applied for defining countries with an ageing population.

9. According to census data, Kazakhstan has more than 140 ethnic groups and peoples, including 10 million Kazakhs (63%), 3.8 million Russians (24%), 457,000 Uzbeks (2.9%), 333,000 Ukrainians (2.1%), 225,000 Uighurs (1.4%), 204,000 Tatars (1.3%), 178,000 Germans (1.1%) and other groups.

10. According to the 2009 population census, the average family size consists of 3.5 people; 72 per cent of children under the age of 18 live with both parents, 15 per cent — with only their mother, 6 per cent — with only their father and 6 per cent — without either parent. Some 1,209,000 households (29%) include people 60 years of age or older, and 395,000 households (9.5%) consist solely of people 60 years of age or older. These households total more than 545,000 people, including 191,000 men (35%) and 354,000 women (65%).

11. During the intercensal period (1999–2009), there were marked demographic changes in Kazakhstan: the birth rate increased, mortality declined, life expectancy rose, and the migration balance was positive. As a result, the population increased by more than 1 million.

Labour and employment

12. The total size of the labour force in 2016 was 9 million people. A total of 8.6 million people, 3 per cent more than in 2011, were employed in various sectors of the economy. In the working population, 74.2 per cent were wage earners, while 25.8 per cent were self-employed. Over the same period, the number of unemployed persons declined to 445,500. The unemployment rate in 2016 was 5 per cent, as against 5.4 per cent in 2011.

13. In 2016, the number of women in the working population was 4.1 million (48.1%). Of the total number of employed women, 3.1 million were wage earners (75.7%), and 1 million were self-employed (24.3%). Women work primarily in economic sectors such as health care and social services — 74.5 per cent, education — 74 per cent, hotels and restaurants — 72.9 per cent, trade — 59.8 per cent, finance and insurance — 59.1 per cent, arts, leisure and recreation — 57.4 per cent, and agriculture — 44.2 per cent — of all people employed in the respective sectors. Men traditionally work in the areas of transport and storage — 80.5 per cent, construction — 79.8 per cent, and industry — 66.5 per cent. In rural areas, 3.7 million people were employed in 2016, of whom 1.8 million were women (45.7%). In 2016,

the average nominal monthly wage was 142,900 tenge, which was 1.6 times higher than in 2011.

Women at the decision-making level

14. Today, in the highest representative body — Parliament — there are 33 women deputies, or 22 per cent of the total. Compared to the previous term (2011), their number has almost doubled. At all levels of local representative bodies (*maslikhats*) in Kazakhstan, women also account for 22 per cent of the total number of deputies. The 30 per cent threshold has been attained in Kostanay province, at 31.6 per cent, and the figure is 29.6 per cent in Pavlodar province, 28 per cent in North Kazakhstan, and 26 per cent in Akmola and East Kazakhstan.

15. The Secretary of State is a woman; she heads the National Commission. In 16 ministries, one woman is the Minister for Labour and Social Protection, nine women are deputy ministers, and two women are permanent secretaries.

16. At the beginning of 2017, the proportion of female political civil servants was 10.1 per cent, or 43 women. The proportion of female civil servants in the "A" corps is 14.8 per cent (72 out of 485), and in the "B" corps — 55.9 per cent (51,036 out of 91,293). The representation of women in posts of deputy provincial *akims* is 13.2 per cent (10 out of 76); city and district *akims* — 3 per cent (6 out of 200); deputy committee chairs and departmental directors of central government bodies — 30.5 per cent (79 out of 259); heads of territorial subdivisions of central government bodies — 11.6 per cent (39 out of 337); heads of provincial divisions — 18.8 per cent (66 out of 351); deputy *akims* of cities and districts — 15.8 per cent (91 out of 576). Among Supreme Court judges, 41.5 per cent are women, as are almost one half of the local court judges (48%).

17. The threshold of 30 per cent representation of women in managerial positions in the financial sphere of the corporate sector of the country's economy has been exceeded. The average proportion of women managers in financial institutions (managing director and members of the board of directors, managing director and members of the administration, chief accountant) is 34 per cent: in insurance organizations — 44 per cent, insurance brokerages — 53 per cent, securities market organizations — 33 per cent, and second-tier banks — 26 per cent. Overall, 19 per cent of the top management of all large companies are women.

18. By Presidential decree No. 384 of 6 December 2016, the conceptual framework for family and gender policy in Kazakhstan up to the year 2030 (hereinafter — the conceptual framework) was approved, in which the target indicator is that the proportion of women in the executive, representative and judiciary bodies and the State, quasi-state and corporate sectors at the decision-making level should reach 22 per cent by 2020, 25 per cent by 2023 and 30 per cent by 2030.

Education

19. At the beginning of the 2016–2017 school year, there were 7,450 general education schools, of which 7,100, or 95.3 per cent, were State schools. There are more than 2.93 million students. A network of specialized schools (125) has been established offering the natural science and mathematical cycle in English, including 33 schools for gifted children with instruction in three languages — the State language, Russian and English. Girls account for 50.4 per cent of secondary school graduates.

20. There are 130 institutions of higher education (47 State, 78 private, 5 affiliated), in which there are more than 477,000 students. Nazarbayev University, a world-class institute of higher education, has been opened in Astana.

21. Kazakhstan has signed the Bologna Declaration on the European Higher Education Area. Three levels of specialized training have been established: bachelor, master and PhD. Women make up 64 per cent of the faculty at institutes of higher education. Women account for 36 per cent of professors, 52.8 per cent of doctors of philosophy and 55.6 per cent of assistant professors. They account for 19 per cent of staff in senior positions in the higher education system. Girls and young women make up 57.3 per cent of university graduates.

Health care

22. The Salamatty Kazakhstan State programme for the promotion of health care for the period 2011–2015 focused on primary medical care, the elaboration and introduction of modern medical technologies, the further expansion of mobile services, telemedicine and airborne medical services, and improvement of the organization, administration and funding of medical care, including through the introduction of new mechanisms for results-oriented pay of health workers. The implementation of the programme led to a 14 per cent decline in the overall mortality rate. Maternal mortality decreased by a factor of 1.4 (12.7 per 100,000 live births). The infant mortality rate fell by a factor of more than 1.5 (8.59 per 1,000 births) There has been a steady decline in a number of socially significant diseases. The incidence of tuberculosis has decreased by one third. Mortality from diseases of the circulatory system has fallen by a factor of 1.8, from cancer by 10 per cent and from trauma by 20 per cent. As a result, by 2016, life expectancy had increased by 3.7 years to 72.41 years, including by 3 years for women (to 76.61 years), and by 4.1 years for men (to 67.99 years).

23. Since 2016, under the Densaulyk State programme for the promotion of health care for the period 2016–2019, a number of measures have been introduced, with the aim of improving the quality of medical services. The programme is designed to consolidate and develop the results achieved and will form the basis for the orderly development of the national health care system up to the year 2050.

Crimes and violence against women

24. Since 2010, when the Act on the prevention of domestic violence (hereinafter — the Domestic Violence Act), of 4 December 2009, came into force, the level of domestic crime has declined by an average of 10 per cent. While in 2010, 745 cases were registered, in 2016, the figure had fallen to 484 cases, or 35 per cent. The number of murders committed in the context of family and domestic relations has fallen by almost two thirds (from 268 to 93). Legislation has been improved through the introduction of stricter penalties for crimes against women and children. An interdepartmental working group has been set up within the Office of the Procurator-General to analyse the causes of domestic violence, and the project "Kazakhstan without domestic violence" is being implemented.

25. The Domestic Violence Act has been amended and supplemented seven times (2010–2016). For example, police officers have been vested with authority to issue restraining orders, in order to provide prompt protection to victims. A new provision has been introduced under administrative law, banning a person who has committed domestic violence from living in a home with the victim in cases where the perpetrator has another home. In addition, provisions have been adopted allowing victims of domestic violence to receive social assistance, regardless of their place of residence.

26. The staffing table of the special divisions for the protection of women against violence consists of 135 posts. The responsibilities of the staff include identification of cases of violence against women, and review of complaints and reports from private individuals and legal entities concerning violations of women's rights and

freedoms. In 2014–2016, State bodies, together with representatives of the United Nations in Kazakhstan, held capacity-building events for more than 125 district inspectors, 5 staff of divisions for the protection of women against violence, 6 staff of prosecutors' offices, 63 psychologists in city and district polyclinics, and 30 representatives of local authorities. A standard has been developed for the provision of special social services to victims of domestic violence, which specifies the requirements in terms of quality, scope and conditions. On the basis of this standard, 30 crisis centres (18 with shelters) in all regions have been able to standardize their services and gain access to State funding.

27. The statistical reports of the Committee on legal statistics and the special reports of the Office of the Procurator General provide figures on criminal offences involving violence against women, including crimes in the family and domestic sphere. This information is included in the compendium "Women and Men of Kazakhstan" published by the Statistics Committee of the Ministry of National Economy (hereinafter — the Statistics Committee), and is also posted on the Internet site http://stat.gov.kz/faces/wcnav_ externalId/.

28. In 2015 the Statistics Committee, jointly with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), the United Nations Population Fund (UNFPA) and the World Health Organization (WHO), for the first time conducted a separate national sampling survey on domestic violence against women, the findings of which were posted on the above-mentioned Internet site. The survey revealed that about 17 per cent of women have experienced physical and/or sexual violence by an intimate partner; every fifth woman (21%) has experienced psychological violence by an intimate partner over her lifetime; and every third woman (33%) has experienced controlling behaviour by a partner during her lifetime. The Statistics Committee plans to conduct the survey on a regular basis in order to provide reliable and independent information on the progress and effectiveness of programmes to address domestic violence and prevent gender-based violence.

29. In 2017, the Ministry of the National Economy, under a joint project with UN-Women, supported the organization of the first survey to assess the economic losses resulting from domestic violence in Kazakhstan. A single algorithm is being elaborated for action to be taken by officials of preventive bodies (health-care, education and social services agencies) when contacted by victims of domestic violence or when these officials make direct discoveries, prior to transmitting information about cases of violence to the police authorities.

30. In relation to paragraph 19(f) of the Committee's concluding observations, work is being carried out on the question of ratification by Kazakhstan of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.

31. Every year, with the participation of State bodies, NGOs and the information media, during the campaign "16 Days without Violence against Women", verification is carried out of people who are on the registers of the internal affairs agencies, including for permitting the commission of offences in the family and domestic sphere, and legal action is taken in the event that violations of the law are discovered.

General political structure

32. Kazakhstan is a democratic, secular, and social State, based on the rule of law, whose supreme values are the individual person and that person's life, rights and freedoms. It is a unitary State with a presidential form of government. The Parliament is the country's highest representative body, and exercises legislative functions, including in the area of human rights.

33. In 2017, Kazakhstan carried out constitutional reforms, opening a new page in the political and legal development of the State. An Act on the introduction of amendments and additions to the Constitution of the Republic of Kazakhstan was adopted on 10 March 2017; it includes 26 amendments to 19 articles of the Constitution. The main thrust of the amendments is to redistribute powers between the branches of government and transfer a number of powers from the President to the Government and Parliament. The amendments significantly strengthen the capacity of the State to protect human rights. They accord the President the right to request the Constitutional Council to review laws which have been enacted and other legal instruments to ensure that they are compatible with the Constitution, which is in line with the interests of protecting human and civil rights and freedoms and ensuring national security and the sovereignty and integrity of the State, deriving from the constitutional and legal status of the President, as enshrined in article 40 of the Constitution.

34. According constitutional status to the Human Rights Ombudsman is in line with the provisions of article 1, paragraph 1 and article 12, paragraph 2 of the Constitution, which provide that Kazakhstan is a democratic, secular, and social State, based on the rule of law, whose supreme values are the individual person and that person's life, rights and freedoms.

35. The Supreme Court is the highest judicial authority in civil, criminal and other cases, and over lower local and other courts; in circumstances provided for by law, it considers court cases referred to its jurisdiction and issues clarifications on judicial practice. The Office of the Procurator General, on behalf of the State, and within the limits and forms prescribed by law, is responsible for the overall supervision of compliance with the law; it represents the interests of the State in the courts and conducts criminal prosecutions on behalf of the State. Local governance is carried out by local representative and executive bodies, which are responsible for matters in their respective territories.

36. Kazakhstan is a full-fledged subject of international law and a party to more than 60 multilateral universal human rights instruments, including the Universal Declaration of Human Rights and seven of the United Nations human rights conventions. In addition, Kazakhstan maintains diplomatic relations with all States Members of the United Nations, is a member of the Commonwealth of Independent States (CIS), the Organization for Security and Cooperation in Europe (OSCE), the Collective Security Treaty Organization (CSTO), the Central Asian Cooperation Organization (CACO), the Eurasian Economic Union (EAEU), the Shanghai Cooperation Organization (SCO), the Conference on Interaction and Confidence-building Measures in Asia (CICA), the Council of Turkic-speaking countries, the Turkic military council, and other international organizations. It cooperates with the Organization for Economic Cooperation and Development (OECD) under the Eurasian programme for building competitiveness and the OECD country programme. In 2017, Kazakhstan became a non-permanent member of the United Nations Security Council. Its main objectives as a member of the Security Council are to contribute to the strengthening of international peace and security and to draw attention to the need to resolve the problems of Central Asia and Afghanistan.

37. Kazakhstan supports the SDGs for the year 2030 and is a member of the International Renewable Energy Agency (IRENA). In 2012, at the Conference on Sustainable Development "Rio+20", the President of Kazakhstan, Mr. N. Nazarbayev, put forward the "Green bridge" and "Global energy and environment strategy" partnership programmes. Kazakhstan has ratified the Paris Agreement, which set the goal of reducing greenhouse gas emissions by 15 per cent from the 1990 levels by 2030.

38. Kazakhstan is a multi-faith country in which representatives of more than 100 ethnic groups and 18 faiths live together in peace and harmony. The main religious denominations are Islam and Christianity; Judaism and Buddhism are also represented. About 70 per cent of the population identify themselves as Muslims. The main institution of inter-ethnic harmony is the Assembly of the people of Kazakhstan. Five Congresses of Leaders of World and Traditional Religions have been held in the city of Astana, at which leaders and representatives of different faiths met at the same table.

Legislative and institutional protection of human rights

39. According to article 4 of the Constitution, the law in force in Kazakhstan consists of the norms of the Constitution and corresponding laws, other laws and regulations, international treaty and other obligations, as well as regulatory decisions of the Constitutional Council and the Supreme Court. The year 2016 marked the beginning of the most extensive reform of domestic legislation in the country's history in order to implement the national plan "100 concrete measures for the implementation of five institutional reforms". The human resource policies of the courts have been strengthened, and "e-justice" is being developed, which makes it possible to ensure maximum transparency in the work of the courts. Civil proceedings have been reformed, and criminal and criminal-procedural legislation is being modernized.

40. In addition to legal defence, everyone has the right to appeal to the Human Rights Ombudsman, the Ombudsman for the Rights of Children, the Commission on Human Rights attached to the Office of the President, the National Commission, and also the National Committee for the Defence and Protection of the Rights of Children within the Ministry of Education and Science. The institution of the Ombudsman for the Rights of Children was established in 2016 on the initiative of the National Commission. In order to ensure timely review of complaints by individuals of violations of their constitutional rights, freedoms and interests, as well as their protection, the official Internet sites of the Prime Minister and the heads of ministries and departments are available.

Protection of human rights on the basis of international norms

41. International treaties ratified by Kazakhstan take precedence over domestic laws. The procedure and conditions whereby international treaties to which Kazakhstan is a party take effect in the territory of Kazakhstan are determined by domestic law (art. 4, para. 3 of the Constitution). All laws and international treaties to which Kazakhstan is a party are published. The official publication of laws and regulations concerning the rights, freedoms and responsibilities of citizens is a prerequisite for their application.

42. The conformity of domestic legislation with international norms enabled Kazakhstan to ratify, in 2012, ILO Convention No. 183 on Maternity Protection (Act of 14 February 2012 on ratification of the Convention concerning the revision of the Maternity Protection Convention (Revised) of 1952), and Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities (Act of 16 November 2012 on ratification of Convention No. 156 concerning Equal Opportunities and Equal Treatment for Men and Women Workers: Workers with Family Responsibilities).

43. In 2015, Kazakhstan ratified the Convention on the Rights of Persons with Disabilities (Act of 20 February 2015 on ratification of the Convention on the Rights of Persons with Disabilities) (para. 40 of the Committee's concluding observations). With the support of UNDP in Kazakhstan, a plan of measures is being implemented

in stages to ensure the rights and improve the quality of life of persons with disabilities for the period 2012–2018. In addition, Kazakhstan has recognized the competence of the Committee against Torture, the Human Rights Committee, the Committee on the Elimination of Racial Discrimination and the Committee on the Elimination of Discrimination against Women to receive individual complaints from citizens of Kazakhstan and foreigners concerning violations of rights under the respective treaties.

44. On 28 April 2015, the Deputy Prime Minister of Kazakhstan approved the plan of action for the implementation of the concluding observations of the Committee on the Elimination of Discrimination against Women on the combined third and fourth periodic reports of Kazakhstan concerning the implementation of the Convention on the Elimination of All Forms of Discrimination against Women, of 14 February 2014 (hereinafter — the Plan).

45. The National Commission, together with UNDP in Kazakhstan, has made systematic efforts in support of the implementation of the Convention to enhance the capacity of civil servants and increase public awareness of different forms of discrimination through the holding of seminars, the development of a reference manual "The women's Convention-a comprehensive biil of rights for women", and the release of social documentary films, recommendations for law enforcement agencies to protect women from violence, and infographics for victims of violence. Thus, paragraph 17 of the Committee's concluding observations on intensification of the efforts of the National Commission and other stakeholders has been implemented.

46. With regard to paragraph 39 of the Committee's concluding observations: the concluding observations have been disseminated to all central and local State institutions, as well as to Parliament. Monitoring of their implementation is carried out through the annual review of the implementation of the Plan at meetings of the National Commission and the Inter-Departmental Commission on humanitarian law and international human rights treaties and the interim results of its implementation by State bodies are reported. On the basis of the outcome of the review, specific instructions are issued.

47. In relation to paragraphs 8 and 9 of the Committee's concluding observations, in order to ensure broad public visibility, the texts of the Convention and of the Committee's general recommendations, as well as the Act on accession to the Convention, have been placed in the "Law" database, which is administered by the Ministry of Justice. Social service centres in all provinces and towns of Kazakhstan, which citizens visit every day to receive Government services, have access to the database. Thus, citizens' access to the database is ensured free of charge. In addition, a number of international treaties and conventions, including the Convention, have been published on the Supreme Court's website in the section "International cooperation", which not only judges but any Internet user can access (https://sud.gov.kz/rus/content/osnovnye-dokumenty).

48. Judges undertake to explain the provisions of the Convention to the parties in court proceedings. One result of the gender awareness training carried out among judges has been the use of references to the provisions of international treaties, including the Convention, in court decisions. Whereas previously such references were made primarily in civil cases, now the Convention is also referenced in criminal verdicts and in decisions on administrative cases.

49. During the first nine months of 2017, a total of 271,519 cases, including 126,644 civil, 126,022 administrative and 18,853 criminal cases, were reviewed for application of the provisions of various international treaties; in 2016, 22,252 cases were reviewed, including 11,083 civil, 9,523 administrative and 1,646 criminal cases; in 2015 — 889 cases, including 888 civil and 1 criminal case; in 2014 — 114 cases,

including 113 civil and 1 criminal case; in 2013 — 6 civil cases; and in 2012 — 7 civil cases. Of this total, 5,683 cases were reviewed in direct relation to the application of the provisions of the Convention during the first nine months of 2017, including 1,916 civil, 3,451 administrative and 316 criminal cases; and in 2016 — 876 cases, including 605 civil, 260 administrative and 11 criminal cases; for previous years this statistical data is unavailable. The provisions of the Convention are applied most frequently in administrative cases; there have been 2,843 cases involving unlawful actions in the sphere of family and domestic relations under article 73 of the Code of Administrative Offences, of 5 July 2014. In view of the foregoing, it may be noted that Kazakhstan is carrying out specific work to address the Committee's concluding observations (paras. 9, 13, 17 and 39).

Human rights information and publicity

50. By Presidential decree No. 858 of 24 August 2009, the conceptual framework for legal policy for 2010 to 2020 was approved, and annual plans are adopted for its implementation.

51. In fulfilment of paragraph 12 of the Committee's concluding observations, since 2011 a Legal Information Centre has been in operation within the Ministry of Justice; its main functions and objectives are to provide free legal aid to the public. Since the establishment of the Centre, more than 700 consultations have been provided to the public, and telephone consultants receive and handle about 500 calls a day. In 2014, for example, answers were provided in response to more than 116,000 calls, in 2015 — 118,000, and in 2016 — 133,000. In 2016, the proportion of satisfied people, among those who had provided online evaluations of information and advisory services, was 79 per cent.

52. Since 2013, *Әділем* [Adilet], an online web-based collection of laws and regulations (www.adilet.zan.kz), has been available on the departmental website of the Ministry of Justice. In order to be able to provide high-quality legal information to the public in an efficient manner and upgrade their qualifications, telephone consultants of the Legal Information Centre take training courses in subdivisions of the Ministry of Justice.

Socioeconomic development between 2011 and 2016

53. Between 2011 and 2016, Kazakhstan's economy developed in a fairly stable manner, with average growth rates of over 4.1 per cent; during this period, growth in real terms amounted to 27.2 per cent. Despite the instability of the external economic environment and high volatility in global oil prices, the foreign trade balance in 2016 showed a positive trend. In 2016, the growth rate was 1.1 per cent; as a result of the successful implementation of economic measures during the first nine months of 2017, the growth of the gross domestic product (GDP) reached 4.3 per cent. Economic growth took place against the backdrop of continued investment activity of economic entities and rapid development of the housing construction sector. In 2016, Kazakhstan's per capita GDP was US$ 7,700. On the basis of data of the World Bank, Kazakhstan has been recognized as a State with above-average levels of per capita income. The unemployment rate for Kazakhstan declined from 5.4 per cent in 2011 to 5 per cent in 2016, including among women — from 6.2 per cent to 5.5 per cent.

Gross domestic product: 2011–2016

	2011	2012	2013	2014	2015	2016
GDP						
tenge (billions)	28 243	31 015	35 999	39 676	40 884	46 971
US dollars (billions)	192.6	208.0	236.6	221.4	184.4	137.3
GDP volume index compared to previous year, in %	107.4	104.8	106.0	104.2	101.2	101.1
GDP volume index, 2010=100%	107.4	112.6	119.3	124.3	125.8	127.2
Average GDP growth rate for 2011–2016: 104.1%						
GDP per capita						
in US$	11 634.5	12 387.4	13 890.8	12 806.7	10 509.9	7 714.8
in thousands of tenge	1 705.8	1 847.1	2 113.2	2 294.8	2 330.4	2 639.7

54. A strategic development plan for the period up to the year 2020 is being implemented, with the aim of achieving the following key indicators: to raise GDP in real terms by at least one third compared to 2009; to reduce the proportion of the population with income below the subsistence level to 8 per cent and unemployment to no more than 5 per cent; to reduce mortality by 30 per cent and to raise life expectancy from 68 to 72 years.

55. In early 2017, the President announced the beginning of the third modernization of the country, covering political and institutional changes, innovations in the economy, and public awareness. The draft strategic development plan for the period up to the year 2025 (hereinafter — the 2025 Plan) aims to achieve accelerated, qualitative economic growth and enhance the quality of life. It is based on a new model of economic growth focused on stimulating export-oriented production by increasing the productivity and range of the economy, developing human capital and attracting private funds in the context of growing competition, private sector leadership and realization of the development potential of the regions.

56. The overarching objective of Kazakhstan is to achieve qualitative and sustainable economic growth up to 2025, leading to material well-being for the people at the level of the OECD countries, and to become one of the 30 developed countries of the world. The qualitative growth of the economy is to be based on increasing the competitiveness of business and human capital, technological modernization, improving the institutional environment and minimizing the negative impact of humans on the natural environment. These measures will make it possible to achieve an increase in per capita GDP to US$ 18,500. Achievement of the social indicators of the 2025 Plan will take place as part of the implementation of the State programme for the development of education and science for the period 2016–2019, Densaulyk — the State programme for the development of health care for the period for 2016–2019, the Programme for the development of productive employment and mass entrepreneurship for the period 2017–2021, and other programmes. For example, the Programme for the development of productive employment and mass entrepreneurship for the period 2017–2021 seeks to place self-employed, unemployed and other people without skills in productive employment, provides for measures for free mass training, including for women, in occupations that are needed in the labour market and creates favourable conditions for women to open and carry out businesses, and for employment in permanent and temporary jobs. The proportion of women participating in the programme is at least 45 per cent, and will be at least 48 per cent by 2021. Thus, the implementation of all these programmes will help to enhance the well-being of the population, including women.

Part II. Information on the implementation of articles 1 to 16 of the Convention

Article 1. Definition of discrimination against women

57. Under the Constitution, Kazakhstan is a democratic, secular, and social State, based on the rule of law, whose supreme values are the individual person and that person's life, rights and freedoms. No one may be subjected to discrimination of any kind on grounds of origin, social status, official position, material circumstances, gender, race, ethnic background, language, attitude to religion, beliefs, place of residence or any other circumstances.

58. The Act on State guarantees of equal rights and equal opportunities for men and women (hereinafter — the Equality Act), of 8 December 2009, has been in force since 2009. In it, the term "gender discrimination" is defined as any limitation or violation of human rights and freedoms or humiliation on the basis of gender (art. 1, subpara. 3).

59. Kazakhstan acceded to the Convention in 1998, and since then the concept of "discrimination", which is widely used in the texts of the Constitution, laws and regulations, has been applied in judicial practice. Thus, article 21 of the Code of Criminal Procedure of 4 July 2014 prohibits discrimination of any kind during criminal proceedings on grounds of origin, social status, official position, material circumstances, gender, race, ethnic background, language, attitude to religion, beliefs, place of residence or any other circumstances. Article 145 of the Criminal Code of 3 July 2014 establishes criminal liability for direct or indirect limitation of rights and freedoms on the above grounds, including the use of one's official position or status as leader of a public association.

60. Relevant articles are also contained in the Constitutional Act on Elections, of 28 September 1995, the Code on marriage and the family, of 26 December 2011, the Education Act of 27 June 2007 and elsewhere. This makes it possible to respond effectively and appropriately to cases of discrimination in any sphere of social relations. The Equality Act is not limited to a definition of discrimination only against women, but defines gender-based discrimination in terms of equal rights, and equal opportunities for their protection, of both women and men.

61. Article 4 (Principles of labour legislation) and article 6, paragraph 3 (Prohibition of discrimination in the labour sphere) of the Labour Code of 23 November 2015 explicitly prohibit discrimination in the labour sphere, including on grounds of gender. The Code of Ethics for civil servants provides that civil servants, in their work relations with colleagues, must take steps to create a congenial moral and psychological environment that excludes any form of discrimination or humiliating or degrading treatment of staff.

62. The Office of the Procurator-General is implementing a pilot project, the *Заңдылық* (legislative) automated information system, which will incorporate information from the consolidated register of pretrial investigations and the *Төрелік* (judiciary) information system of judicial bodies. Consideration will also be given to including court statistics on the treatment in practice of cases involving gender discrimination.

63. At the same time, in line with paragraphs 10 and 11 of the Committee's concluding observations, and taking into account the significant progress made by Kazakh society in terms of the perception of the measures taken to eliminate discrimination and promote gender equality, as well as the country's desire to join the 30 most developed States of the world, additional measures have been taken to improve legislation in the area of family and gender policy.

64. A special working group is engaged in the formulation of a draft act on the introduction of amendments and additions to certain legislative acts of the Republic of Kazakhstan on issues of family and gender policy. The articles of the draft act will be based on the findings of a gender analysis of the provisions of special and codified laws governing equality of rights and opportunities of men and women in the family, and in the socioeconomic and public-political spheres, conducted in the context of the goals defined in the Presidential programme "Looking ahead: modernization of public awareness", the Committee's concluding observations and the recommendations of the OECD Council in the area of gender equality. In particular, the definitions of "direct and indirect discrimination" and, in general, issues of gender-based discrimination, have been considered.

Article 2. Obligation to eliminate discrimination

Article 2 (a) As noted above, the principle of the equality of men and women is embodied in the Constitution and in all legislation in force in Kazakhstan (*a list of statutory laws is attached*). Under the Equality Act, the bodies working to ensure equal rights and equal opportunities for men and women are the Government and the central and local executive bodies, within their spheres of competence. In addition, the National Commission on Women's Affairs and Family and Demographic Policy attached to the Office of the President, chaired by the Secretary of State, is actively engaged in protecting the rights of women. At the same time, in order to implement the recommendations in seven of the Committee's concluding observations, the question of expanding the list of bodies engaged in ensuring equal rights and equal opportunities for men and women has been discussed at meetings of the working group on the draft act.

Article 2 (b) In Kazakhstan, there is a sufficient legal foundation for the adoption of the necessary legislative and other measures to prohibit discrimination against women (art. 145 "Violation of equal rights" and art. 146 "Torture" of the Criminal Code, and art. 90 "Labour discrimination" of the Code of Administrative Offences, and so forth). See also article 1 and subparagraph (e);

Article 2 (c) The Constitution guarantees all citizens the equal right to recognition as persons before the law and the right to defend their rights and freedoms by all means in keeping with the law, including self-defence. Everyone has the right to qualified legal assistance. Legal aid is provided free of charge in circumstances specified by law.

65. The Code of Civil Procedure of 31 October 2015 establishes the equal rights of citizens to apply to the courts in defence of violated or disputed constitutional rights and freedoms and legally protected interests. Men and women have the same rights and obligations when applying to the courts, and pay the same State fees. Practice has shown that women are not disadvantaged in the realization of their procedural rights when applying to the courts in defence of violated civil, family, labour or other rights. Neither the Supreme Court nor the provincial courts have received any complaint from either a man or a woman about denial of access to justice for reasons of gender discrimination.

66. According to data of the Committee on legal statistics and the special records of the Office of the Procurator-General, during the first nine months of 2017, the courts received 128,727 claims and reports from women, representing 19.2 per cent of the total (in 2016 — 154,952, or 19.4%, in 2015 — 164,672, or 23%, in 2014 — 166,197, or 22.2%, in 2013 — 159,185, or 24.6%, in 2012 — 157,827, or 27%, and in 2011 this data were not included in the statistics). Thus, in comparison to 2012, the proportion of court applications from women on civil matters declined by 8 per cent. Women most commonly apply to the courts for recovery of maintenance and for

divorce. In this regard, 95 per cent of judicial orders and decisions ended with satisfaction of the claims made. During the first nine months of 2017, on the basis of complaints by women, the courts considered 4,881 criminal cases based on individual accusations. Women accounted for 68.6 per cent of victims in cases in this category (in 2016 — 4,550, or 66.3%, in 2015 — 3,333, or 70%, in 2014 — 2,311, or 82.2%, in 2013 — 1,493, or 76.3%, in 2012 — 1,196, or 66%, in 2011 — 1,780, or 75.5%). This data shows that women are sufficiently aware of and make broad use of their right to judicial protection.

Article 2 (d) In accordance with the Constitution, State bodies, public associations, officials and the information media must ensure that all citizens have the possibility of familiarizing themselves with documents, decisions and other sources of information concerning their rights and interests. In practice, cases of discrimination against women are encountered most frequently in the labour sphere. At the same time, Kazakh women broadly exercise all the rights guaranteed to them (see also the sections of the report on article 6 — exploitation of women, article 11 — employment, article 16 — equality in marriage and family law, and other articles).

Article 2 (e) In accordance with articles 13 and 14 of the Constitution, everyone has the right to judicial protection of his or her rights and freedoms and all are equal before the law and the courts. In recent years, the protection of the rights of citizens in the justice system has been significantly strengthened. In order to facilitate citizens' access to justice, a transition has taken place from the five-step system of justice (*first, appellate, cassation, review and second review*) to a three-step system (*first, appellate, cassation*). Since 2016, a new Code of Civil Procedure has been in force, the significant innovations of which include expansion of the list of cases considered in simplified proceedings, the introduction of court mediation and of participatory procedures, the introduction of the system of executive writs, and minimization of the participation of the prosecutor.

67. The commission of a criminal offence or administrative violation against a woman known to the guilty party to be pregnant and also against a minor is considered an aggravating circumstance in respect of liability and punishment (art. 54 of the Criminal Code). The Code of Criminal Procedure stipulates that the State guarantees all persons access to justice and compensation for damages in cases and under the procedure established by law. In order to implement article 173 of the Code of Criminal Procedure, which provides for the right to receive immediately full or partial financial compensation from the State from the victims' compensation fund, the Act on the victims' compensation fund was adopted on 10 January 2018.

68. In accordance with the Act on the procedure and conditions for detention in special temporary isolation facilities, of 30 March 1999, all persons held in special facilities, including women, enjoy the rights and freedoms and also bear the responsibilities established for citizens of Kazakhstan, subject to the restrictions provided for in the Constitution and the laws. Furthermore, article 362 of the Criminal Code "Abuse of power or official authority" provides for the liability of police officers and other public officials who commit violence while performing their functions.

Article 2 (f) In the legislation in force, there is no discrimination against women. Discrimination on various grounds is punishable under criminal and administrative law. In 2016, together with UN-Women, a study was conducted on the problem of sexual harassment in the workplace, and recommendations were made on improving the laws and practice. An analysis was made of gaps in the laws and their implementing mechanisms related to prevention of and protection against sexual harassment in the workplace. In addition, the National Commission is considering the question of strengthening the role of the ethics ombudsman in the protection of

women in the civil service system from sexual discrimination, harassment, and unethical or unequal treatment by managers of State bodies. The working group on the draft act has proposed introducing amendments and additions to the Equality Act to change the definition of "gender equality" from a sociological category to a legal definition.

Article 2 (g) The criminal legislation contains no provisions that discriminate against women. Gender equality in court is ensured through the implementation of the basic principles of justice: strict observance of the requirements of the law by the courts, for both women and men; inadmissibility of decisions and actions that are humiliating or degrading for parties to legal proceedings; equality of all persons before the law and the courts; adversarial proceedings and equality of the parties; transparent, open and public consideration of cases; and protection of the security of parties to the trial. Article 21 of the Criminal Code may be applied to protect women. For reference: *articles 99 (Murder), 106 (Deliberate infliction of serious bodily harm), 107 (Deliberate infliction of moderate bodily harm), 108 (Deliberate infliction of minor bodily harm), 110 (Torture), 111 (Infliction of bodily harm in the heat of passion), 112 (Infliction of serious bodily harm by exceeding the limits of necessary self-defence), 114 (Negligent infliction of bodily harm), 115 (Threats), 120 (Rape), 121 (Violent sexual acts), 122 (Sexual intercourse or other sexual acts with a person under 16 years of age), 123 (Coercion to engage in sexual intercourse, sodomy, lesbianism or other sexual acts), 125 (Kidnapping), 126 (Illegal deprivation of liberty), 128 (Human trafficking), 131 (Abuse), 134 (Recruitment of a minor for the purpose of prostitution), 145 (Violation of the equal rights of a person/citizen), 149 (Infringement of the inviolability of the home), 248 (Coercion into making a transaction or into refusal to make a transaction) and 308 (Recruitment for the purpose of prostitution).* In accordance with articles 46 and 47 of the Criminal Code, extreme criminal penalties such as life imprisonment and the death penalty are not applied to women.

69. The Code of Administrative Offences establishes administrative liability for offences against women. For example, under article 73, an offender faces up to three days' detention for harassment or humiliation in the sphere of family and domestic relations. In addition, article 449 establishes administrative liability for harassment in public places, including sexual harassment. The offences of deliberate infliction of minor bodily harm (art. 73-1 of the Code of Administrative Offences) and assault (art. 73-2 of the Code of Administrative Offences), which were previously considered criminal misconduct, are now deemed to be administrative offences. The reason for transfer of these articles is that criminal prosecution and accusation in court were exercised in an individual manner, in other words, the burden of proving that violence had been perpetrated lay with the victims themselves (they had to undergo examinations, collect the necessary information and descriptions, find witnesses, go to court and prove that violence had been perpetrated). That is precisely why the number of such cases brought before the courts has significantly decreased. The transfer of these articles allowed police officers to respond swiftly to such incidents by drawing up reports on the spot and submitting administrative materials to the court within two to three days, to be considered by the court within 24 hours.

70. In accordance with article 50 of the Code of Administrative Offences, administrative detention may not be imposed on pregnant women or women with children under 14 years of age. Pursuant to article 56 of the Code, the fact that an administrative offence is committed by a pregnant woman or a woman with a child under 14 years of age is deemed to be a mitigating circumstance. However, with a view to preventing discrimination and gender-based violence, at its meetings the working group on the draft act considered the possibility of imposing fines for

unlawful acts in the sphere of family and domestic relations consisting of threats and actions infringing on human integrity, honour and dignity.

71. With respect to paragraph 13 (c) of the Committee's concluding observations, it should be noted that the introduction of information technologies in judicial proceedings has greatly facilitated public access to justice. The work of the "legal clinic" service contributes to the improvement of the legal knowledge of citizens, and protection by citizens of their constitutional rights. While in 2014 a total of 105,707 electronic documents were submitted through the service, 382,238 electronic documents were submitted in 2015, and in 2016, 756,435 electronic documents had already been sent. The advantage of using the "legal clinic" is the possibility of expeditiously filing court statements, applications for release of court records, and statements and comments on court records, in electronic format, gaining access to electronic observation using encoded electronic signatures, and also paying state fees online.

Article 3. Development and advancement of women

72. In 2016, the implementation of the Gender Equality Strategy for the period 2006–2016 was completed; this strategy helped take a more balanced approach to questions of the rights and opportunities of not only women, but also men, and also to ensure the all-round development of Kazakh women. A conceptual framework has been approved, developed on the basis of the Constitution, the "Kazakhstan 2050" strategy, the national plan "100 concrete measures", the plan for Kazakhstan becoming one of the 30 most developed States of the world, the Convention, the SDGs and the OECD recommendations on gender equality.

73. The conceptual framework sets out the State's gender policy objectives — to achieve parity of rights, benefits, responsibilities and opportunities for men and women in all spheres of activity of society, and to eliminate all forms and manifestations of gender-based discrimination. In implementation of the framework, by Government decision No. 106 of 3 March 2017, a plan of action was approved for the implementation of family and gender policy up to the year 2030, which is being implemented by the relevant government agencies in cooperation with non-governmental organizations. Thus, Kazakhstan has a long-term strategic document for the implementation of gender policy, with specific targets and achievable indicators.

74. In 2017, in conjunction with UNDP, work began on the actual implementation of the conceptual framework. As a result of the steps taken, a more focused attitude has developed towards the implementation of the framework and the consolidation of innovative methods for the implementation of family and gender policy by the members of the National Commission, deputies of Parliament, representatives of central and local government bodies, international and non-governmental organizations and the scientific community, and methodological recommendations have been developed for the implementation of the framework.

75. In addition, the statistical compendium "Women and men of Kazakhstan" of the Statistics Committee of the Ministry of the National Economy and the handbook on the work of the regional commissions are being published annually. In 2017, the "Feminist League", a public association, undertook monitoring and review of the implementation of the Committee's concluding observations, the findings of which were discussed at a meeting of the working group. A topic "gender aspects in the public administration system" has been introduced in the curriculum of the Academy of Public Administration attached to the Office of the President with the aim of enhancing the ability of civil servants to explain State gender policy. In 2015,

5 refresher courses were held for 152 civil servants, in 2016 — 6 for 142 civil servants and in 2017 — 10 for 247 civil servants.

76. Sixteen women politicians' clubs and a national network of schools for women leaders have been established and are in operation in all regions of the country. In cooperation with political parties and advocacy groups, steps are being taken to ensure respect for gender balance when drawing up party lists and nominating candidates for leadership positions in elected bodies. Together with UNDP, efforts are being made to improve women's leadership skills. In 2017 alone, five master classes were held, attended by 259 women. The regional commissions, together with NGOs, have been carrying out important work on the political advancement of women in conjunction with NGOs. In 2011–2016, they conducted about 2,500 events, attended by more than 86,000 people. Since 2015, in cooperation with the OSCE Centre in Astana, a project has been carried out to train the leadership of local executive and representative bodies, as well as the leaders of NGOs, in the principles of an integrated gender approach to policy and local self-government issues.

77. It should be noted that, in 2017, Kazakhstan became a direct donor to UN-Women in Kazakhstan. The Ministry of Foreign Affairs supported the implementation of the project activity of UN-Women aimed at eliminating violence against women, as well as the achievement of the gender-related SDGs. A step-by-step review has been undertaken of issues related to the introduction of gender-sensitive budgeting when establishing the budgets of State agencies. The Ministry of the National Economy, together with UN-Women, is carrying out a pilot project on gender-sensitive budgeting at the Ministry of Agriculture. On the basis of the outcome of the project, concrete proposals will be developed for the introduction of gender-sensitive budgeting in Kazakhstan. Thus, the Committee's recommendations (para. 17 (a) and (d)) on intensifying the efforts of the National Commission and other stakeholders to educate people, and on regular monitoring and review of the measures taken to eliminate gender stereotypes in order to assess their impact, are being fully implemented.

Article 4. Acceleration of the achievement of equality between men and women

Article 4, paragraph 1 The legislation of Kazakhstan aims to establish de facto equality between men and women. Temporary special measures have been adopted for the political advancement of women. The plan of action for the period up to the year 2016 for the advancement of women at the decision-making level has been implemented, and agreement has been reached with political parties and public associations, as well as national companies, to support women. As a result, the representation of women in political parties ranges from 33 per cent to 57 per cent. Today, in the Majilis, the proportion of women is 27.1 per cent (29 out of 107 members), while in 2006 the figure was 10.4 per cent (8 out of 77). In local representative bodies at all levels, the representation of women in 2016 reached 22.2 per cent of the total number of elected deputies, while in 2006 it was only 16.7 per cent. Meanwhile, at its meetings, the working group on the draft act discussed issues pertaining to definitions of "temporary special measures" and "gender quotas" in domestic legislation, with a view to eliminating gender gaps.

Article 4, paragraph 2 The special measures aim to protect mothers, children and fathers; protect women during pregnancy and childbirth; improve men's life expectancy; and protect women in criminal, criminal procedural and criminal enforcement legislation. Under article 4 of the Equality Act, special measures aimed at protecting maternity are not considered to constitute gender discrimination. See also article 12. In line with paragraphs 14 and 15 of the Committee's concluding observations, target indicators for the elimination of gender gaps have been included in the conceptual framework.

Article 5. Gender roles and stereotypes

States Parties shall take all appropriate measures:

Article 5 (a) In order to develop social and cultural patterns of conduct of men and women, based on the idea of gender equality, various information and awareness-raising campaigns were carried out during the reporting period. Some 9,540 publications and articles on gender policy issues were produced by the information media, including 4,769 in the national media and 4,771 in the regional media. In the print media, materials were published under the special titles "Gender policy", "Gender equality" and "Gender initiatives".

78. In 2017, amendments were made to the Media Act, of 23 July 1999, to prohibit the transmission of radio, television, cinematographic or video material of an erotic or pornographic nature. Article 311 of the Criminal Code establishes liability for the unlawful dissemination of pornographic materials or products, article 312 — for the production and circulation of materials or products with pornographic images of minors or the recruitment of minors to participate in visual entertainment of a pornographic nature, and article 313 — for the unlawful dissemination of works that promote a cult of cruelty and violence. According to the statistics for the first nine months of 2017, two cases were considered under article 311, and two people were convicted (in 2016 — one case and one person convicted, in 2015 — two cases and two people convicted, in 2014 — nine cases and nine people convicted, in 2013, five cases and five people convicted, and in 2011–2012, no record was kept).

79. In accordance with order No. 73 of the Minister for Investment and Development approving the rules for monitoring of the information media, of 26 January 2016, the information field is monitored for compliance with the requirements of national legislation for identification of materials that promote a cult of cruelty and violence, and of pornography. If such material is found, the owner of the Internet site is sent a warning letter on the need to eliminate it. Today, close cooperation has been established with the search engines Yandex, Google and others. In 2016, steps were taken to remove 586, and in 2017, more than 700, materials. In 2016, two court decisions were implemented at the behest of the prosecution bodies in relation to 38 information materials on Internet sites, restricting the activities of the sites in the territory of Kazakhstan, and in 2017 — four decisions in relation to 47 sites.

80. There are no cultural or traditional practices or ways of life in Kazakhstan which impede the advancement of women in society. However, the increased activities of pseudo-religious movements throughout the world have given rise to the need to develop solid immunity for young people and women from the influence of propaganda by extremist religious organizations. The National Commission has initiated the project "Women and religion". Inspired by the project, the establishment of the *Қыз Жібек* club at the Kazakh State Women's Teacher Training University has led to the establishment of similar clubs to educate girls on the basis of national traditions and the progressive ideas of secular society at Kazakhstan's 12 higher education institutions. In addition, the National Commission, together with UNDP, conducted two seminars for the heads of local executive bodies in 2017, with a view to preventing religious extremism and terrorism among women.

81. The State does not have the right to intervene in the interpersonal relations of spouses; however, it protects the social guarantees of the institution of the family through the registration of marriages by the civil registry offices. Currently, a common position has been reached between the Ministry of Religious Affairs and Civil Society and the Muftiyat on mandatory certification by the civil registry offices of religious *неке кию* (marriage) ceremonies. This requirement is driven by the

interests of protection of the rights of citizens, especially women and children. Measures are being taken to ensure that traditions and religion are not used as a basis for discrimination against women. For example, theatre repertories include works which inculcate among young people a correct interpretation of the role of women and religion in general.

82. The legal age for marriage for men and women is 18 years, and 16 years in exceptional cases. Forced marriage and early marriage are considered crimes. The Ministry of Education and Science, together with the "Creative women's league", a public association, conducted a survey involving a detailed analysis and identification of reasons for early and forced marriage. The survey showed that early marriage was not always based on voluntary compliance with the wishes of the parents. As an outcome of the survey, a methodological guide on the prevention of early and forced marriage was developed and sent to all regions of the country. Cases of early and forced marriage are occasionally found in some southern regions of the country. Today, a legislative mechanism has been developed, providing for penalties for people who have condoned violence and abuse against girls. Forced marriage or bride kidnapping of minor girls are considered crimes and are punished under article 122 of the Criminal Code (art. 125 — Sexual relations with a minor, and art. 126 — Kidnapping).

83. As part of the global HeForShe campaign, a number of national universities, together with UN-Women, hold annual awareness-raising activities among young people aimed at combating gender stereotypes and fostering a spirit of tolerance, with respect for and adherence to the principles of gender equality, paying particular attention to the active involvement of men in the campaign. As part of the implementation of the plan of action for the implementation of the framework, a series of information campaigns have been held to combat stereotypes that create an environment for violation of the rights of girls and women, and to actively shape public opinion on early and forced marriage as a negative phenomenon.

Article 5 (b) Presidential Decree No. 511 of 1 March 2013 established Family Day, which is celebrated every second Sunday of September. By Presidential order No. 250 of 6 December 2013, the annual national competition *Мерейлі отбасы* (model family) was approved, designed to strengthen the institution of the family and marriage, and foster family traditions and values. At all levels of education "Self-knowledge", a programme of moral and spiritual instruction, has been introduced, based on universal spiritual values and designed to activate the role of the family in the upbringing of children. Outreach to families has involved NGOs and civil society institutions such as councils of elders (1,115) and councils of mothers and grandmothers (1,201). Over 300 councils of mothers have been established under the People's Assembly of Kazakhstan. In order to provide advisory services on family education issues, family education centres have been opened in eight regions. Since 2016, in order to enhance the role of fathers in the upbringing of children, a national fathers' forum has been held every year. Through the efforts of 70 active fathers, the public association "Fathers' Union" has been established and is represented in eight regions.

84. The criminal policy of Kazakhstan also accords priority to protection of the rights of minors. As indicated in the conceptual framework for the legal policy of Kazakhstan for the period 2010–2020, measures to establish criminal liability for crimes against minors, their rights and legitimate interests, are to be strengthened. Since 2015, the penalty for sexual and economic exploitation of children and non-fulfilment or inadequate fulfilment of parental responsibilities has been increased. In 2016, amendments were made to the laws on the protection of the rights of children aimed at increasing criminal liability and penalties for crimes against the sexual inviolability of minors. In particular, the perpetrators of such crimes may not

be granted probation or parole, and criminal proceedings may not be terminated on account of remorse or reconciliation of the parties. For the first time, there is provision for the possibility of court-ordered chemical castration of people found guilty of committing crimes against the sexual inviolability of minors, which was introduced on 1 January 2018. The working group on the draft act also discussed issues of equal participation and parental responsibility for the material support and upbringing of children, including household maintenance obligations and participation in unpaid domestic work.

Article 6. Exploitation of women

85. The Constitution guarantees equal rights for all citizens. Article 21 of the Code of Criminal Procedure establishes the principle of equality before the law and the courts. In accordance with article 71 of the Code of Criminal Procedure, a person against whom there are grounds to believe that moral, physical or property damage was directly inflicted as a result of a criminal offence is considered to be a victim in criminal proceedings. In accordance with paragraph 3 of Supreme Court regulatory decree No. 2 of 24 April 1992 on the application of the legislation governing the rights and obligations of crime victims, any person directly injured as a result of a socially dangerous act is considered to be a victim.

86. Articles 308 and 309 of the Criminal Code establish liability for recruitment into prostitution, procurement and establishing or maintaining premises for prostitution. According to data of the Committee on legal statistics and special records during the first nine months of 2017, 83 cases were considered and 110 persons were convicted (in 2016 — 74 cases and 84 persons convicted, in 2015 — 85 cases and 91 persons convicted, in 2014 — 133 cases and 137 persons convicted, in 2013 — 128 cases and 131 persons convicted, and in 2011–2012, no records were kept).

87. In Kazakhstan, criminal liability is established for human trafficking, including trafficking in women and girls. Criminal offences related to human trafficking are recognized as offences under article 116 (Coercion to remove or unlawful removal of human organs or tissue), article 125, part 3, paragraph 2 (Abduction for the purpose of exploitation), article 126, part 3, paragraph 2 (Unlawful deprivation of liberty for the purpose of exploitation), articles 128 (Human trafficking), 134 (Recruitment of minors for prostitution), 135 (Trafficking in minors), 308 (Recruitment for prostitution), 309 (Establishing or maintaining premises for prostitution or procurement) of the Criminal Code entailing a penalty of deprivation of liberty for a term of 3 to 15 years. On issues of the application of criminal and criminal procedural law, the Supreme Court has adopted regulatory decisions No. 7 of 29 December 2012 on the application of the legislation establishing liability for human trafficking and No. 4 of 11 May 2007 on certain questions concerning the definition of rape-related offences and other violent acts of a sexual nature.

88. Under the act on special social services, human trafficking is defined as a form of ill-treatment and grounds for the provision of special social services. In implementation of the provisions of that law, by decree No. 138 of 24 February 2016 of the Minister of Health and Social Development, a standard was approved for the provision of special social services to victims of human trafficking, which defines the mechanism for referral between law enforcement agencies, NGOs, and health care and social welfare institutions and for provision of assistance and must be complied with by all entities and organizations that provide special social services to victims of trafficking, irrespective of their form of ownership. The standard regulates the procedure for the provision of services in institutions intended for daily, temporary or long-term residence of persons in difficult life situations. In 2016, the standard was approved in the Qostanay and South Kazakhstan provinces and in the cities of Almaty and Astana, and in 2017 it was introduced throughout Kazakhstan.

89. In 2015, jointly with the OSCE Office, one-day training seminars were held for over 100 specialists on issues concerning the provision of special social services to victims of human trafficking. Together with the International Organization for Migration, brochures were developed on prophylaxis, prevention and assistance to victims of trafficking and sent to the regional commissions on issues of combating unlawful transfer abroad, entry or trafficking in persons, for use in their work and for public outreach.

90. By Government decision No. 23 of 28 January 2015, a plan of action was approved for prophylaxis, prevention and combating of crimes related to human trafficking for the period 2015–2017, which coordinated the activities of State bodies for the prevention of human trafficking. The information media is continuously monitored for materials related to human trafficking and child pornography. The findings of such monitoring, when there are grounds to do so, are referred to the criminal prosecution bodies for pretrial investigation. With a view to improving the legislation on combating human trafficking, an act on the introduction of amendments and additions to certain laws on the prevention of human trafficking was adopted on 4 July 2013.

91. In order to prevent crimes involving human trafficking, a national operational and preventive initiative "Stop Trafficking" is systematically conducted, during which the activities of modelling, tourist, and marriage agencies offering services for exit and employment abroad are checked. In order to provide assistance to nationals abroad, the Ministry of Foreign Affairs has a special programme on protecting and guaranteeing the rights and interests of citizens of Kazakhstan abroad. Together with international organizations, an event is held every year entitled "Let's join together to put an end to human trafficking". During the event, internal affairs staff participate in television broadcasts, and in interviews for radio, television, newspapers and Internet sites, and conduct outreach, and in addition, flash mobs and sports events are organized, booklets, brochures and souvenirs are distributed in places where people congregate, and so forth. Thus, paragraphs 20 and 21 of the Committee's concluding observations are being fulfilled.

Article 7. Political and public life

Article 7 (a) Participation of citizens in elections is voluntary. No one has the right to compel participation or non-participation of citizens in elections, or to limit their choices.

92. According to data of the Central Electoral Commission, there has been an increase in the number of women in elected bodies. Thus, while in the Majilis in the first year of implementation of the Gender Equality Strategy (2006), the proportion of women was 10.4 per cent, by the final year (2016), it had increased to 27.1 per cent. In 2017, the representation of women heads of committees of the Senate of Parliament reached 50 per cent (3 out of 6). In local representative bodies at all levels, the representation of women in 2016 reached 22.2 per cent of the total number of elected deputies, whereas in 2006 it was only 16.7 per cent. The representation of women in six political parties ranges from 33 per cent to 57 per cent. In the "Nur Otan" party — 57% (in 2013 — 54%), in the Communist Party — 44.4% (41%), "Birlik" — 43.5% (33.5%), Nationwide Social Democratic Party — 40.4% (41%), "Ak Zhol" — 39 % (20%).

Article 7 (b) See the section entitled "Women at the decision-making level" under "General information".

Article 7 (c) The number of NGOs registered in Kazakhstan is 19,680, of which 13,879 are active. Approximately 150 women's NGOs are in operation, and play an important role in the country's social and political life. Over the past five years, more

than 500 gender projects have been implemented. Women's NGOs have established centres for job placement and career guidance, support for small business, and legal and juridical support, and are also actively developing a network of crisis centres for victims of domestic violence and trafficking, as well as a national network of women leaders.

93. In 2015, together with UN-Women, a study was carried out on the introduction of temporary special measures to increase the number of women in elected and appointed public office. The project was developed with the close involvement of parliamentarians, NGOs and parties. On the basis of the findings of the study, recommendations were made and were discussed by participants in a working meeting with civil society and parliamentarians. Kazakh women actively participate in trade unions. The proportion of women in trade unions is 55 per cent, of which 67 per cent head primary trade union organizations, 28 per cent, sectoral trade unions, and 44 per cent, territorial trade union associations. Women account for 40 per cent of decision-making positions in the Federation of Trade Unions and in the Federation's deliberative bodies: General Council — 28.8 per cent; and Executive Committee — 36.6 per cent. Trade unions strive to secure practical guarantees of gender equality through collective contracts and agreements. Thus, paragraphs 22 and 23 of the Committee's concluding observations are being fulfilled in an orderly and phased manner.

Women in the Federation of Trade Unions of Kazakhstan

	2011	*2012*	*2013*	*2014*	*2015*	*2016*	*20.02.2017*
No. of women	950 279	1 000 293	1 018 395	1 069 470	1 077 894	1 074 777	1 099 225
%	46	46	47	55	58	54.4	55.7

Article 8. International representation and participation

94. In the legislation of Kazakhstan there are no direct or indirect restrictions on the representation of men and women in international organizations. In establishing rosters of national candidates for election or appointment to international organizations, United Nations bodies and specialized agencies at senior and mid-level posts, the Ministry of Foreign Affairs focuses on the qualifications of candidates without discrimination on grounds of gender. Efforts are being made to put forward Kazakh nationals to work in United Nations agencies through secondment, and also through the fully-funded programme United Nations Volunteers.

95. In accordance with article 15, paragraphs 1 and 2 of the Diplomatic Service Act of 7 March 2002, staff is rotated in accordance with the qualification requirements for administrative civil servants, regardless of gender. In the Ministry of Foreign Affairs, of 209 female officers, 18 hold managerial positions, of whom 2 are ambassadors on special assignments, 3 are departmental directors, 1 is a deputy director, 11 are heads of offices, and 1 is a committee vice-chairman. At present, nine women from Kazakhstan are working in international organizations.

96. Madina Jarbussynova was until recently the head of the OSCE office of the coordinator of human trafficking (Vienna). Zahra Bektepova is on the staff of the OSCE office of the coordinator for environmental action (Vienna), and a number of Kazakh women are working in the secretariats of CICA and SCO. The Permanent Representative of Kazakhstan to the United Nations and other international organizations in Geneva is Zhanar Aitzhanova, the Ambassador Extraordinary and Plenipotentiary of Kazakhstan to the Kingdom of Thailand is Raushan Tasbulatova, and in the secretariat of the United Nations Educational, Scientific and Cultural

Organization (UNESCO), the deputy coordinator of the office for participating countries and partnership in the Sector for External Relations and Public Information is currently Asel Utegenova. The percentage of women staff in international organizations which are accredited in Kazakhstan is 59.4 per cent (223 of 392 people).

97. Opportunities are ensured for women's participation in the decision-making process at all levels on environmental issues, including as specialists in the management, design, planning, implementation and assessment of environmental projects. On 31 August 2017, at the specialized exhibition "Astana EXPO — 2017", the National Commission, together with the Ministry of Foreign Affairs, held an international forum on "Women for the energy of the future" which was attended by about 300 delegates from 25 countries. At the end of the forum, a resolution was adopted calling on the international community to adhere to international principles on minimization of environmental pressure, and control of climate change and of the degradation of natural resources, which will help speed up the transition to a green economy and alternative energy.

Article 9. Nationality

Article 9, paragraph 1 In Kazakhstan women, regardless of their marital status (married or unmarried) have equal rights with men to acquire, change or retain their nationality. The legislation does not restrict the rights of aliens in family and marriage relations. Under article 221 of the Code on marriage and the family, State registration of marriages may take place in any registry office in the territory of Kazakhstan depending on the wishes of the couple getting married.

Article 9, paragraph 2 According to the Citizenship Act, of 20 December 1991, the determination of the nationality of a child takes into account the nationality of both parents (father and mother) on an equal basis. A change in the nationality of a child aged 14 to 18 years in cases of change of nationality of the parents, as well as adoption or guardianship, may take place only with the consent of the child, under the procedure envisaged in the Citizenship Act. The Committee's recommendations in paragraphs 25 (a) and (b) of its concluding observations are being fulfilled under the Constitution as follows: "Citizenship of the Republic of Kazakhstan shall be acquired and terminated in accordance with the law and shall be identical and equal regardless of the basis for its acquisition. A citizen of the Republic may not be deprived of citizenship, or of the right to change citizenship, and may not be exiled beyond the borders of Kazakhstan. Deprivation of nationality shall be permitted only by decision of a court for committing terrorist crimes, as well as causing other grave damage to the vital interests of Kazakhstan".

Article 10. Education

Article 10 (a) As established in article 3, paragraph 1 of the Education Act, the main principles of State education policy are equal rights of all citizens to quality education, universal access to education at all levels on the basis of a person's intellectual development and psychological, physiological and individual aspects, and respect for human rights and freedoms. Pursuant to article 47, paragraph 3 of the Education Act, all general education schools for girls and boys provide equal opportunities for receiving quality education in accordance with mandatory State education standards. On the basis of these norms, equal access to education is ensured for male and female students at the legislative level, and is being fully implemented in practice.

98. In 2016, out of 2,930,583 school students, there were 1,447,215 girls (49.38%) and 1,483,368 boys (50.62%). According to data of the UNESCO database in Kazakhstan, the proportion of school-age children not enrolled in secondary

education is less than 1 per cent. This fact is confirmed by data from the World Economic Forum (WEF) Global Competitiveness Index for 2017: in primary education enrolment Kazakhstan ranks 4th in the world, with an indicator of 99.9 per cent, and it is in 18th place for secondary education enrolment — 112 per cent. This demonstrates a lack of gender discrimination in access to education.

99. In 2016, in 803 technical and vocational training institutions, there were 488,926 students, of whom 230,647, or 47.2 per cent, were women. The proportion of women enrolled in teacher training courses was 74.3 per cent, medical — 77.1 per cent, humanitarian — 39.2 per cent, technical and technological — 35.6 per cent and agricultural — 24.8 per cent.

100. Higher education is available in 130 higher education institutions. The total number of students in the 2016–2017 academic year was 477,074, of whom 263,129 (55.1%) were women, including master's degree students — 32,893, of whom 19,813 (60.2%) were women, and doctoral students — 2,710, of whom 1,673 (61.7%) were women. There were 103,902 students taking specialized technical courses, of whom 35,346 (34%) were women. At the time of admission to higher education institutions, gender is not taken into account, in other words there is no discrimination in access on grounds of gender.

Article 10 (b) The State general education standard and curricula afford an opportunity for study to everyone without distinction on grounds of gender. Textbooks and teaching materials are analysed to assess respect for gender balance in the content of educational materials, and one of the main parameters is reflection in text and illustrated material of the interests of the sexes (girls — boys, young women-young men), and respect for gender equality. In addition to grade-level education, there are opportunities for access to advanced classes. For example, in 2016, of the 951,557 children enrolled in advanced classes, 46 per cent were girls (439,807). In this regard, there are no obstacles to the admission of girls to advanced classes.

101. With regard to gender equality in the teaching profession of the education system, as in most countries, this profession is feminized, in view of the specific characteristics of working with children. Thus, in 2016, the number of teaching staff in secondary education was 319,167, of whom 258,952 were women (81%), in technical and vocational education — 27,131 women (73.2%), including women directors — 2,841 (68.3%), in higher education institutions — 24,494 women professors and lecturers (64%), including women directors — 25 (19.2%). In the higher education institutions, the number of women with a master's degree is 8,316 (74.7%); doctors of philosophy — 825 (52.8%), doctors of science — 1,434 (41%), candidates of science — 8,644 (61.6%), professors — 873 (36%), assistant professors — 3,501 (55.6%). Statistics on access to equipment, examinations, and premises, and expenditure broken down by gender, are not monitored as they are not linked to gender — all expenditure is calculated per person without regard to gender.

Article 10 (c) Most general-education schools in Kazakhstan offer co-education of girls and boys. In some schools segregated education is provided for boys and girls (for example, innovative high schools), but all quality criteria, including curricula, examinations, and so forth, are the same. In all educational institutions, the studies are organized according to the single State general education standard approved by the Government.

Article 10 (d) Scholarships are awarded annually for tertiary education, to students who achieve the highest scores in a national competitive examination. In 2016, the total number of applicants for scholarships was 28,329, of whom 15,895 (56%) were female. A State stipend is awarded to all students whose studies are progressing well (who have passed their end-of-semester examinations and have satisfactory mid-term grades) as well as to orphans and children deprived of parental care who are students,

graduate students, boarders in higher education institutions or are enrolled in primary or secondary vocational training institutions, without discrimination based on gender;

Article 10 (e) The coefficient of access to education for women (0.980) is higher than for men (0.952); the overall average is 0.967 — making it possible to assess the literacy rate of population aged 15 years and older, as well as the extent of educational enrolment of the population. There has been a significant increase in computer literacy; 34 per cent of the population aged 15 and older have computer skills, 20 per cent use the Internet, and 12 per cent have a command of English. In addition, in order to determine the level of adult literacy, Kazakhstan decided to participate in the Programme for the International Assessment of Adult Competencies (PIAAC), a wide-ranging international survey of the literacy of the adult population in respect of reading, mathematics and information and communications technology. The survey will make it possible to determine how the country's adult population uses reading, information searches and computer technology in everyday life, and to assess their education and experience. Extensive information material provided by OECD on the basis of the findings of the survey will provide an opportunity for Kazakhstan to develop lifelong learning programmes to increase employment and reduce unemployment. In 2018, 6,000 adults in all regions of the country selected as an international sample will take part in questionnaires and testing;

Article 10 (f) It has been found in practice that the rare dropout cases to a large extent have socioeconomic causes and are not gender-related. However, the competent authorities are conducting systematic monitoring to ensure the enrolment of children in preschool and secondary education. Monitoring of attendance is carried out in accordance with order No. 324 of the acting Minister for Education and Science, of 11 July 2017, approving the regulations on keeping records of preschool and school-age children until completion of their secondary education. All children between 0 and 18 years of age (until completion of their secondary education) living (permanently or temporarily) or staying in the territory of Kazakhstan, regardless of whether or not their residence (temporary stay) is registered, are subject to mandatory individual record-keeping. Thus, a mechanism has been developed for automatic identification of children who are temporarily not enrolled in education;

Article 10 (g) The Physical Culture and Sports Act, of 3 July 2014, provides that State policy is directed at ensuring healthy lifestyles and promoting physical culture and sports, and is conducted on the basis of the principles of voluntary participation, equality and accessibility for all citizens. At present, 5,204,000 people are engaged in physical culture and sports in Kazakhstan, including 1,116,500 women. A total of 48,100 State employees work in the area of physical culture and sports, of whom 8,500 are women. With regard to the national teams of Kazakhstan: in summer Olympic sports there are 2,420 women, in summer non-Olympic sports, 873 women, in national sports, 67 women, and in sports for people with disabilities, 161 women; in winter Olympic sports, there are 434 women, and in non-Olympic sports, 24 women. There are no norms or regulations restricting the participation of girls and women in sports or physical education. Nor are there any clothing restrictions which prevent women from fully engaging in sports. Women and men have equal access to sports facilities and equipment;

Article 10 (h) The National Centre for the promotion of healthy lifestyles within the Ministry of Health is responsible for disseminating special educational information to help ensure family health and well-being. It has 14 provincial, 15 urban and 69 district offices, 196 health centres and 557 clinics. Informational and educational work is carried out in the following areas: physical activity, healthy nutrition, prevention of smoking and of alcohol and drug abuse, prevention of tuberculosis, infectious diseases, sexually transmitted diseases and HIV/AIDS, and reproductive health, including family planning.

102. About 30 per cent of the content of secondary school curricula aims to form family and moral values, including such topics as "My family", "I and we", "Mine and ours" and "My friends". The school subject "People. Society. Law" includes the sections and themes "The family as a social group", "Foundations of family law", "Principles of family formation", "Parents", "Children", "The rights and responsibilities of spouses". A programme of moral and spiritual instruction, "Self-knowledge", which includes material from sociological and humanistic disciplines (ethics, psychology, philosophy, sociology and law), has been introduced at all levels of education. Thus, the implementation of paragraph 27 (a) of the Committee's concluding observations has been ensured.

103. With regard to paragraph 27 (b) of the Committee's concluding observations: it has been found that school dropouts among girls owing to marriage are very rare. However, since 2008, more than 30 child protection studies have been conducted jointly with NGOs on the moral upbringing of children and the formation of a proper understanding of cultural traditions. In 2016, a sociological survey was carried out on the provision of special social services to minor children living in difficult circumstances, in the course of which, the quality and availability of specialized social services for children were reviewed, and potential service recipients were identified among the above categories. In addition, anonymous questionnaires were administered among children regarding the existence of cases of violence, including sexual violence, in the family and educational institutions (on the part of adults and among children), extortion and so forth (target groups: students in grades 5–11, at least 800 people in each region). On the basis of the outcome of the work, a methodological guide was developed "Ensuring the rights of children in difficult living situations", as well as proposals on the introduction of amendments and additions to legislation to improve the mechanism for the provision of special social services to children and measures for the prevention of violence. With regard to paragraph 27 (c) of the Committee's concluding observations, health education is provided on a regular basis in the form of talks, seminars, training sessions and round tables on relevant topics among adolescents and their parents, including girls from disadvantaged families.

104. The UNFPA country office in Kazakhstan has developed and tested in pilot regions a training course for college students on the topic "Values" with a strengthened component on the protection of sexual and reproductive health and rights, including comprehensive sex education for adolescent girls and boys. The Ministry of Education and Science is considering the possibility of drawing on this experience and including it in school curricula.

105. In order to raise public awareness on the importance of the family, family planning, prevention of early pregnancy and abortions, 87 youth health centres and 4,582 health units have been established at polyclinics and healthy lifestyle centres. Adolescents and youth are given counselling, as well as legal, medical and psychological assistance in areas of reproductive health: the development of informed and responsible sexual behaviour, the use of safe means of contraception, the prevention of unwanted pregnancies, enhancement of the level of sexual culture, and *socio-legal knowledge in the area of prevention* of sexually transmitted diseases and AIDS; in addition, informational and educational materials are disseminated.

Article 11. Employment

Article 11, paragraph 1 (a) The necessary legal conditions have been created in Kazakhstan for women to exercise their right to work. The Labour Code ensures legal regulation of labour and other directly related relations with the aim of protecting the rights and interests of the parties to labour relations, and establishes minimum guarantees of labour rights and freedoms. The Labour Code provides a set of legal

norms designed to ensure gender equality in the labour sphere, including non-discrimination on the basis of gender. No one may be subjected to any form of discrimination in the exercise of labour rights on grounds of origin, social status, official position or material circumstances, gender, race, ethnicity, language, attitude to religion, beliefs, place of residence, age or disability status, or membership of public associations (art. 6, para. 2 of the Labour Code). Individuals who believe that they have been subjected to discrimination at work are entitled to submit complaints to the courts or to other bodies in accordance with the procedure established by law (art. 6, para. 4 of the Labour Code).

Article 11, paragraph 1 (b) Article 25 of the Labour Code prohibits labour contracts which violate equality of rights and opportunities. The employer is prohibited from including discriminatory requirements in vacancy announcements (art. 28, para. 2, subpara. 7 of the Employment Act). The Code of Administrative Offences establishes liability for inclusion by an authorized employment agency, an individual or legal entity providing recruitment services, as well as the employer, of vacancy information which includes discriminatory requirements (art. 90, para. 3). Equal access to the civil service is guaranteed by the Constitution (art. 33, para. 4) and by the Civil Service Act of 23 November 2015 (art. 16, para. 5). As at 1 January 2017, more than half the total number of civil servants, 55.5 per cent, were women (51,151 out of 92,203). There is a trend of increase in the number of women civil servants (in 2013 — 49,527, or 54.9%, in 2014 — 49,095, or 54.2%, in 2015 — 50,219, or 55%).

106. Between 2011 and 2016, the economically active population grew from 8.8 million to 9 million, and from 4.3 million to 4.4 million women. The employed population also rose, from 8.3 million to 8.6 million people, and from 4.0 million to 4.1 million women. As regards the structure of employment, the majority of women are wage-earners. In 2011 2.7 million women were wage-earners (66.5% of working women), compared to 3.1 million women (75.7%) in 2016. The number of women employed in rural areas has also grown, from 895,500 in 2011 to 1,046,900 in 2016.

Article 11, paragraph 1 (c) Under article 24 of the Constitution, everyone enjoys freedom of labour and free choice of occupation or profession. Everyone has the right to working conditions that meet safety and hygiene requirements, to remuneration for labour without any discrimination, and to social protection against unemployment. Everyone has the right to rest. People working under a labour contract are guaranteed the legally established length of working day, as well as rest days, public holidays, and paid annual leave. In accordance with article 68, paragraph 1 of the Labour Code, a normal working week may not exceed 40 hours. Working hours are shorter for workers under 18 years of age, for people employed for heavy physical labour or in harmful and (or) hazardous working conditions, and for people with category I or II disabilities.

107. In order to balance the social, household and other personal needs of employees with production requirements, flexible working arrangements may be agreed upon (art. 74 of the Labour Code). The concept of off-site employment has also been introduced under the Labour Code. For people who work off site, a fixed accounting of working hours is established, monitoring of which is defined in the employment contract (art. 138 of the Labour Code). Under article 118 of the Labour Code, the employer provides vocational training, retraining and refresher training for employees and for other people who are not in employment relationships.

Article 11, paragraph 1 (d) Equal pay for equal work for men and women is a fundamental tenet in the realization of human rights in Kazakhstan. The Constitution establishes the right of citizens to be remunerated for work without any discrimination on the basis of gender, a right which is also enshrined in article 22 of the Labour

Code. The most important principle of labour legislation is to ensure the right to fair remuneration that is no less than the minimum monthly wage. Given the existence of a legislative framework for regulating questions concerning the establishment and payment of wages and monitoring compliance, Kazakhstan was able to ratify the International Labour Organization (ILO) Convention concerning Equal Remuneration for Men and Women Workers for Work of Equal Value. In implementation of the Gender Equality Strategy, Kazakhstan has ratified ILO Convention No. 26 concerning the Creation of Minimum Wage-Fixing Machinery; Convention No. 95 concerning the Protection of Wages; and Convention No. 187 concerning the Promotional Framework for Occupational Safety and Health.

108. In 2012, wages in the public sector were increased by 30 per cent. Since 2016, a new model of the system for remuneration of civil servants has been introduced, which has increased salaries by an average of 30 per cent, depending on the qualifications and seniority of employees as well as the complexity and quantity of work, and working conditions.

Article 11, paragraph 1 (e) Kazakhstan has a multi-level social security system, which distributes responsibility for social security between the State, the employer and the employee at the basic, compulsory and voluntary levels. According to article 11 of the Pensions Act of 21 June 2013, pension benefits are payable to men from 63 years of age, and women from 58 years of age (with effect from 1 January 2018, a phased increase in women's retirement age to 63 years is to take place over a period of 10 years, at six-monthly intervals). It should be noted that early retirement benefits are available at the age of 53 for women who gave birth (or adopted) five or more children and raised them to the age of 18 years; and at the age of 45 for women who have lived in zones of emergency and maximum radiation risk of the Semipalatinsk nuclear test site for at least five years. In addition, the calculation of length of service for pension purposes takes into account time spent by a non-working mother caring for small children but only until each child reaches the age of 3, with a maximum of 12 years in all. There is also provision for the inclusion in length of service, and other socially significant periods, of time spent caring for a disabled child under 16 years of age.

109. In line with the conceptual framework for further modernization of the pension system up to the year 2030, the size of solidarity pensions increases every year, by 2 per cent over the level of inflation. Mandatory pension contributions payable to contributory pension funds are set at 10 per cent of monthly income for all workers, regardless of gender. The measures taken to improve the level of pensions have made it possible to exceed the standard used in international practice for replacement of lost income (40%), which in Kazakhstan amounted to 43.8 per cent in 2016 through basic and solidarity pension payments. In addition to the guaranteed annual increase of pensions and benefits, there are also one-time increases. Thus, in implementation of the instruction of the President of Kazakhstan in his message: "Third modernization of Kazakhstan: global competitiveness", in 2017 pensions were increased by 20 per cent compared with the level in 2016. From 1 July 2018, a real increase in the basic pension is expected, which will be calculated on the basis of the length of participation in the pension system.

110. In accordance with article 133 of the Labour Code, employers are required to pay benefits for temporary disability out of their own resources to workers who are temporarily unable to work, on the basis of temporary disability lists. Payments are made from the State social insurance fund for temporary loss of ability to work, and loss of breadwinner or job, and, for women workers — loss of income associated with pregnancy and childbirth, adoption of a newborn child (children), or loss of income associated with caring for a child up to the age of 1. Article 8 of the Act on State social benefits for disability, loss of breadwinner or old age, of 16 June 1997,

establishes that disability benefits are awarded if a disability occurs, regardless of whether work ceases before the application for benefits is made or continues. Pursuant to article 88 of the Labour Code, employees are entitled to 24 calendar days of annual paid leave, unless a larger number of days is set by other laws and regulations, collective labour agreements or the employer's regulations. Under collective labour agreements, additional paid annual leave may be offered to workers as a bonus for long and continuous service and for other reasons.

Article 11, paragraph 1 (f) Article 26 of the Labour Code prohibits the employment of women for heavy physical labour, or in harmful and (or) hazardous working conditions, on the basis of the list of occupations for which the use of female labour is prohibited, approved by order No. 944 of the Minister of Health and Social Development of 8 December 2015. The list includes 287 types of occupations and specialities prohibited for women in metallurgy, assemblage, renovation and construction work, mining and capital mining, geological prospecting, topographic and geodesic work and other areas, and also establishes limits on manual lifting and moving of loads by women, which is in line with the principles and provisions of the ILO Convention. The list ensures maternity protection and also safeguards women's health. At the same time, in order to broaden access for women to occupations which now, due to the application of new technologies, automation of production, use of robots, and so forth, are not detrimental to their health, the list is to be updated in 2018.

Article 11, paragraph 2 (a) In accordance with article 54 of the Labour Code, employers may not terminate the employment contract of pregnant women who have provided the employer with a medical certificate of pregnancy, women with children under 3 years of age, single mothers raising children under 14 years of age (or children with disabilities under 18 years of age) or other people raising children without mothers in these categories. The employer is required to extend the employment contract for women who are 12 or more weeks pregnant or an employee who has a child under 3 years of age, or who has adopted a child and wishes to exercise the right to leave without pay to care for a child (art. 51 of the Labour Code). If a pregnant woman is unlawfully dismissed, the employer must reinstate her on the basis of a decision by the conciliation commission or the court. An employee who has been reinstated in a previous position must be paid the average wage for the entire period of forced leave or the difference in wages for the period of performance of lower-paid work, but for not more than six months. Pursuant to article 152, paragraph 2 of the Criminal Code, unjustified refusal to conclude an employment contract with a woman or unjustified termination of her employment contract on grounds of pregnancy, as well as unjustified refusal to conclude an employment contract or unjustified termination of an employment contract with a woman who has children under the age of 3 on those grounds, as well as unjustified refusal to conclude an employment contract or unjustified termination of an employment contract with a person with a disability on grounds of the disability, or with a minor on grounds that he or she is a minor, is punishable by a fine of up to 500 monthly notional units or corrective labour for the same amount, or community service for a period of up to 300 hours, or by arrest for a period of up to 90 days, with or without deprivation of the right to hold particular posts or engage in specific activities for a period of up to one year.

Article 11, paragraph 2 (b) Under article 99 of the Labour Code, pregnant women are granted maternity leave lasting 70 calendar days prior to delivery and 56 calendar days after the birth (70 in the case of complications or the birth of two or more children). Women living in areas which have been impacted by nuclear testing, with certification of inability to work because of pregnancy and childbirth, are entitled to maternity leave of 170 calendar days for a normal birth and 184 days in the event of complications or the birth of two or more children. Compulsory social

insurance was introduced in 2008 for pregnancy, childbirth and maternity for working women. They receive benefits from the State social security fund in an amount based on the average monthly wage for all days of maternity leave, and 40 per cent of the average monthly wage for leave taken to care for a child up to 1 year of age (art. 23-2 of the Act on compulsory social insurance, of 25 April 2003). Compulsory pension contributions are withheld from the benefits paid for loss of income in connection with pregnancy and childbirth, adoption of a newborn child (children) or leave taken to care for a child up to 1 year of age and are credited to the recipient's retirement account (art. 26).

Article 11, paragraph 2 (c) The Labour Code includes provisions on prohibition of the employment of women, rules governing work and rest for women and other people with family responsibilities, and restrictions on the termination by an employer of an employment contracts with a pregnant woman.

111. In accordance with articles 51, 54, 58, 76 and 77 of the Labour Code, an employer may not:

(1) assign pregnant women to night work, work on weekends or holidays or overtime work, send them on business trips or cancel their paid annual leave;

(2) assign the following people to night work or overtime work, send them on business (trips or require them to work on a rotating basis without written permission:

(i) women with children under 7 years of age and other people raising children under 7 years of age without a mother;

(ii) employees caring for sick family members or for children with disabilities if a medical assessment confirms that children under 3 years of age, children with disabilities or sick family members are in need of full-time care.

112. Under article 82 of the Labour Code, working women with children aged up to 18 months and fathers (adoptive fathers) bringing up children without mothers aged up to 18 months are allowed additional breaks to feed the child at least every three hours, as follows: for one child — a break of at least 30 minutes; for two or more children — a break of at least one hour. Nursing breaks are included in the woman's working hours, while keeping the average wage. In accordance with article 70 of the Labour Code, the employer has to allow a pregnant woman or one of the parents (adoptive parents) who has a child under 3 years of age to work part-time, without restrictions on the duration of annual leave. Cancellation of the leave of employees under 18 years of age, pregnant women or workers employed for heavy physical labour or in harmful or hazardous working conditions is not permitted. In addition, employers are required to grant unpaid leave to employees to care for a child up to 3 years of age, which may be used in full or in part, on the basis of a written request from the worker, while keeping the job. The period of unpaid leave to care for a child up to the age of 3 is included in the calculation of the total length of service, and of the period of employment in a particular specialized area, unless otherwise provided in domestic legislation (art. 100 of the Labour Code).

Article 11, paragraph 2 (d) Under article 44 of the Labour Code, an employer, on the basis of a medical assessment, must transfer a pregnant woman to a different job at which she is not exposed to harmful and (or) hazardous working conditions, while maintaining the average wage.

Article 11, paragraph 3 In accordance with article 54, paragraph 2 of the Labour Code, employers may not terminate the employment contract of pregnant women who have provided the employer with a medical certificate of pregnancy, women with children under 3 years of age, single mothers raising children under 14 years of age

(or children with disabilities under 18 years of age), and other people raising children without mothers in these categories.

113. A general agreement has been implemented between the Government and workers' and employers' associations for 2015–2017, in which it is established that the parties will implement measures to ensure the protection of mothers and children, social support for women, resolution of gender problems in the area of social and labour relations, and support for men and women engaged in the care and education of children on an equal footing, and increase the representation of women at decision-making levels. A total of 22 sectoral and over 200 regional agreements (at the level of provinces, towns and districts) have been involved in its implementation. On 31 January 2018, the same general agreement was concluded for 2018–2020. A total of 77,100 enterprises, or 34.3 per cent of active enterprises, are covered by a collective bargaining system. Furthermore, 90.3 per cent of large and medium-sized enterprises have collective contracts. Work is underway to improve production conditions (introduction of a risk assessment system, international standards on labour safety and protection, certification of enterprises).

114. Under a joint project of the Ministry of the National Economy and UN-Women aimed at achieving the SDGs, a number of studies have been conducted in the context of the economic empowerment of socially vulnerable women. In addition, recommendations have been made for the improvement and refining of instruments and of special approaches and means of supporting women's entrepreneurship and employment with a view to ensuring equal access to employment and the possibility of developing their entrepreneurial initiatives.

115. With regard to paragraph 29 (a) of the Committee's concluding observations, it should be noted that in Kazakhstan, women are target groups that are accorded priority for employment assistance and other forms of social support, including free training in specialized fields that are needed in the labour market, assignment to social service jobs subsidized by the State, and youth training. In addition, they are provided with material assistance during their period of training to cover travel and living costs and are paid a stipend. Thus, during the period from 2012–2016, about 800 people, 48 per cent of whom were women, half of whom were rural inhabitants, participated in the "Employment road map for 2020". In 2016, 198,300 people, including 88,600 women (44.7%), of whom 48.9 per cent were rural women, signed social contracts with the employment centres. The proportion of the total number of people placed in employment who were women was 44 per cent (87,000 women).

116. With regard to paragraph 29 (b) of the Committee's concluding observations, an analysis of the wage situation shows that the average monthly wage in 2016 was 142,898 tenge, which had increased by 58.7 per cent compared to 2011. In 2016, the ratio of women's wages to men's wages stood at 68.6 per cent. This was due to the fact that men largely work in sectors such as industry (oil and gas, mining, manufacturing), transport or construction where working conditions are generally harsh (hazardous) and in which wages are high. Women are concentrated in the areas of education, health care and social services. However, for the purposes of consistently reviewing wage levels in sectors where women are concentrated, a new system of remuneration was introduced in 2016. It affected more than 1 million workers (teachers, doctors, cultural workers, workers in the social sector, and so forth). Their salaries increased by an average of 30 per cent. See also subparagraph 1 d) of this article; With regard to paragraph 29 (c) of the Committee's concluding observations: see subparagraph 1 (f) of this article.

117. With regard to paragraph 29 (d) of the Committee's concluding comments, although in national legislation there is no explicit rule stipulating liability for sexual harassment, statutory criminal, administrative or disciplinary liability applies to the perpetration of such acts, taking into account the gravity of the consequences. The

Code of Ethics for civil servants establishes that civil servants, in their work relations with colleagues, must take steps to create a congenial ethical and psychological environment that excludes any form of discrimination or humiliating or degrading treatment of (both female and male) civil servants. See also the section "Crime and violence against women", part I: General information and article 2, paragraph 2 (f).

Article 12. Equal access to health care

Article 12, paragraph 1 Under current legislation, women and men have equal access to health care. Protection of maternal and child health is one of the priorities of the State. These rights were implemented under the Salamatty Kazakhstan programme and are continuing to be implemented under a new programme, Densaulyk. As a result of the introduction of modern technologies in obstetrics and pediatrics, a reduction in maternal and infant mortality has been achieved (see section "Health" in part I: General information).

118. Since 2010, the list of free medical services and medicines has included in vitro fertilization (in 2011 — 350 cycles; 2012 — 600 cycles; 2013 — 600 cycles, 2014 — 600 cycles, 2015 — 820 cycles, 2016 — 813 cycles, 2017 — 900 cycles). Annual examinations and counselling are provided for women of childbearing age, and tracking of contraceptive coverage, including identification of groups at high risk for extragenital pathology and social factors, as well as the early detection of diseases, outpatient observation and treatment, and identification of diseases in groups being monitored more closely on the basis of their health status and plans to have children. In the planning of pregnancies, prenatal training is provided. Screenings are performed for early detection of cervical and breast cancer. In 2011–2016, a total of 2.8 million women were examined for early detection of cervical cancer, and 2.4 million for breast cancer. Cervical cancer was detected in 1,215 (0.04%) of cases, and breast cancer in 4,078 (0.16%) of cases.

119. In recent years, the abortion rate in Kazakhstan has shown a decline (2011 — 95,288, 2012 — 95,654, 2013 — 84,265, 2014 — 83,709, 2015 — 81,440, 2016 — 78,857). However, abortion continues to be one of the main regulators of the birth rate and one of the principal causes of maternal mortality. Along with a decrease by a factor of 1.7 in the number of abortions among adolescents up to 15 years of age, there has been an increase by a factor of 1.3 in the number of abortions among adolescents 15 to 18 years of age in 2016 compared with 2015. In order to raise awareness among youths and girls of the significance of the family, reproductive health, family planning and prevention of abortion, there are 87 youth health-care centres that provide comprehensive medical and psychosocial services to adolescents and young people. By 2020, these centres will provide services to 25 per cent of all young people aged 15 and older.

Article 12, paragraph 2 Medical care for women during pregnancy, delivery and the postnatal period is provided free of charge and covers proper care and nutrition, including for nursing mothers until the child reaches the age of 1, throughout the in-hospital period. In addition, a national screening programme is in operation for early detection of diseases with full coverage of target population groups, in the framework of which it is envisaged that the diagnosis of congenital and hereditary diseases in the foetus and newborn child will be improved.

120. Effective perinatal technologies have been introduced, as recommended by the World Health Organization (WHO) (safe childbirth, demedicalization of deliveries, accompanied deliveries, timely and high-quality primary resuscitation of newborns, following the "warm chain", and so forth) that are cost-effective, accessible and effective technologies. A register of pregnant women has been established in order to keep a record of every woman from the time of registration to the end of the

pregnancy. Modern auditing and evaluation criteria recommended by WHO are being introduced. Telemedicine, mobile medical services and airborne medical services have been developed to ensure access to medical care in remote regions of the country.

121. Regionalization has been an effective organizational technology. It has facilitated the widest possible use of technology in caring for pregnant women and newborns depending on the level of risk, regardless of the place of residence. Pregnant women with severe pathologies and premature births are referred to perinatal centres equipped with modern medical equipment, where high-level specialists work. In accordance with the needs of the regions, priority is given to the acquisition of modern medical equipment for providing medical care to women during pregnancy, birth and the postpartum period, women with gynaecological disorders, as well as newborns and children. Under the State social service system, the Preventive Medicine Academy has developed and produced methodological guides on healthy nutrition for infants, schoolchildren, pregnant women, nursing mothers, and so forth. Thus, Kazakhstan is taking specific measures to implement paragraphs 25 and 26 of the Committee's concluding observations.

122. With regard to paragraph 31 (a) of the Committee's concluding observations, activities in the area of HIV infection in Kazakhstan are carried out in accordance with the new global strategies and objectives — the Political Declaration on HIV/AIDS: on the Fast Track to Accelerating the Fight against HIV and to Ending the AIDS epidemic by 2030. Measures for the diagnosis, prevention and treatment of HIV infection are carried out in the framework of the implementation of the State programme for the development of health care. Provision of medical and social assistance to HIV-infected and AIDS patients is regulated by the Code on public health and the health-care system (arts. 112–115). A road map has been drawn up based on the WHO/UNAIDS strategy, and was approved by Ministry of Health order No. 164 on the implementation of measures to prevent HIV infections for the period 2017–2020, of 14 April 2017. Kazakhstan has made some progress in preventing mother-to-child transmission. Antiretroviral therapy coverage was 80.6 per cent in 2016. In order to evaluate the effectiveness and quality of the treatment provided, laboratory monitoring is carried out of the viral load of HIV patients. The coverage of preventive treatment of HIV-infected pregnant women in 2016 was 97.4 per cent, and of children born to them, 99.5 per cent.

123. There has been a significant, 80 per cent reduction in perinatal transmission over the course of 10 years (from 7.4% to 1.5%). All children born to HIV-infected mothers are provided with free milk formula up to the age of one. Accordingly, in 2018, Kazakhstan intends to apply to WHO for certification of the elimination of mother-to-child transmission of HIV. For vulnerable groups of the population (intravenous drug users, commercial sex workers) there are 155 confidential locations and 30 confidential clinics, as well as outreach workers of AIDS centres. In the context of the State social service system, NGOs carry out HIV information activities in order to increase the number of people who know their HIV status under the Test and Treat principle recommended by WHO.

124. By decree of the Ministry of Health, a social project has been implemented on raising awareness among the public and, in particular, business entities, concerning prevention and treatment of HIV/AIDS and tuberculosis in order to reduce stigma, lower morbidity and improve the indicators of the Global Competitiveness Index — the impact of HIV/AIDS and tuberculosis on business in Kazakhstan, for an amount of 12 million tenge. The project was implemented by the national public association "Legal support for health workers" from August-November 2017. Intensive work on the diagnosis, detection and prevention of HIV infection among women over the past six years has influenced the changing dynamics from 711 cases in 2011 to 1,148 cases

in 2016. The number of drug-dependent women among the total was 31 (4.4%) in 2011, and 49 (4.3%) in 2016.

125. Registered HIV cases among citizens of Kazakhstan as at 30 June 2017 among the 8,863 women registered with clinics totalled 7,277, and of those people, 4,194 (57.63%) are receiving anti-retroviral therapy. In 2016, 234 women (19.2% of the total number diagnosed) were diagnosed during pregnancy, of whom 2.6 per cent were intravenous drug users and 0.9 per cent were commercial sex workers. A total of 3,314 children were born to HIV-infected mothers, including 124 children with HIV status. In 2016, together with UN-Women, a conference was organized on the Unified Budget Results Accountability Framework (UBRAF) with regard to support for women living with HIV. The participants at the conference formulated a document outlining the needs and priorities of women living with HIV in implementation of the SDGs. In line with paragraph 31 (b) of the Committee's concluding observations, data is being collected on women drug users in prisons and in society at large to determine the extent of the problem, with a view to developing appropriate drug dependency interventions and determining the number of people living with HIV/AIDS who are in need of medical care.

126. According to official statistics from the Ministry of Health, the number of women suffering from psychiatric and behavioural disorders caused by the use of narcotic substances who are under clinical and preventive observation is showing a decline, from 3,715 in 2011 to 2,028 in 2016 (2012 — 2,610, 2013 — 3,053, 2014 — 2,651, 2015 — 2331). Between 2011 and 2016, there was a decrease from 8.3 per cent to 7.5 per cent in the proportion of female patients suffering from psychiatric and behavioural disorders who were under clinical and preventive observation (2011 — 44,825, 2012 — 33,436, 2013 — 38,203, 2014 — 33,847, 2015 — 31,046, 2016 — 27,407).

127. As of 30 June 2017, 236 drug-dependent women were registered in detention facilities, or 10.6 per cent of the total number of drug-dependent patients under observation in institutions of the penal correction system. In accordance with article 117, paragraph 2 of the penal correction code of the Republic of Kazakhstan, prevention and treatment facilities (hospitals for the treatment of physical and psychiatric diseases and tuberculosis, medical units and medical clinics) have been set up to provide medical services to convicted persons. The medical services of such institutions also include compulsory treatment for convicted persons suffering from alcohol, drug and substance abuse.

128. Outpatient observation of the sick, including women with psychiatric and behavioural disorders caused by use of psychotropic substances, with clinical signs of dependence on such substances, is carried out in accordance with the rules for the registration, monitoring and treatment of people recognized to be suffering from alcoholism, drug addiction and toxicomania (Minister of Health order No. 814 of 2 December 2009).

129. In 2015, jointly with the Centre for interdisciplinary research on dependence and the University Medical Centre (UKE) department of psychiatry (Hamburg, Germany), an analysis was made of the findings of a survey among women users of injected drugs. The study was conducted in two provinces of Kazakhstan (East Kazakhstan and the Karaganda province) on the use of health services by women drug-users. Within the framework of the United Nations Office on Drugs and Crime (UNODC) project "Regional programme for Afghanistan and neighbouring countries" for the establishment of a regional network to support drug demand reduction initiatives in countries of Central and West Asia, the national scientific and practical centre for psychiatric health held a regional training course for trainers in the treatment of drug-dependent women.

130. With regard to paragraph 31 (c) of the Committee's concluding observations, steps are being taken to increase the availability of family planning devices and provide contraceptives free of charge for women with severe chronic diseases, including women with disabilities and adolescents. In order to reduce maternal mortality, the Ministry of Health, with the support of UNFPA, conducted a situational analysis of the state of reproductive health of the population of Kazakhstan. On the basis of the analysis, a framework programme to improve family planning services up to the year 2021 was developed, and a detailed plan of action was prepared. Components of the plan of action to improve family planning services were integrated into the road map of the Ministry of Health, in accordance with which family planning clinics have been established in each region of the country to train public health specialists. The population of Kazakhstan has equal access to all modern registered contraceptives in pharmacies, including for rural women. Nearly 70 per cent of women of child-bearing age in at-risk groups have access to contraception. In 2016, about 1.6 million women were using contraceptives, including intrauterine devices — 54 per cent, hormonal contraceptives — 18.6 per cent, barrier devices — 23 per cent and spermicides — 4.4 per cent. Funds are continuously allocated from local budgets of the regions for the purchase of contraceptives in order to increase access and supply adolescents with free contraceptives.

Article 13. Social and economic benefits

Article 13 (a) Regardless of family income, benefits are paid from the budget on the birth of a child, and for unemployed people benefits are also provided for childcare until the child reaches one year of age. The amounts of benefits are differentiated depending on the number of children in the family. Working women receive social payments from the State social insurance fund in the amount of the average monthly wage for all the days of maternity leave, as well as for the care of a child up to one year of age at 40 per cent of the average monthly wage. In addition, large families with four or more minor children living together, and mothers with a large number of children, who have been awarded the gold pendant "*Алтын алқа*" (seven or more children) or the silver pendant "*Күміс алқа*" (six children) or had previously been awarded the title of Heroine Mother or Glorious Motherhood (Classes I or II) receive special State benefits.

131. In 2011, a monthly allowance was introduced for guardians (caregivers) for maintenance of a child (children) deprived of parental care. In addition, low-income families receive social assistance in the form of benefits for children up to the age of 18; benefits for the care of disabled children; benefits for loss of the breadwinner; targeted benefits for citizens, repatriates, refugees, aliens and stateless persons permanently resident in Kazakhstan with per capita incomes below the poverty line; housing assistance for low-income families (citizens) residing permanently in the locality (homeowners); benefits for people with disabilities, veterans of the Great Patriotic War, heroes of socialist labour, mothers of many children and people working in harmful and difficult conditions (special State benefits, State social disability benefit). Information on benefits and payments to familiarize the public has been placed on the site of the State corporation "Government for citizens" http://egov.kz.

Article 13 (b) All citizens have the right to receive loans, mortgages and other forms of financial credit, irrespective of gender. Banks grant loans for construction (acquisition of land) and the purchase of homes, for repairs and modernization, and for making the down payment for obtaining a mortgage. Mortgages are offered on condition that, in the course of 3 to15 years the minimum amount required under the terms of the mortgage agreement have been saved. The development of women's businesses in Kazakhstan is carried out through State programmes within the

framework of the Damu fund for the development of entrepreneurship, as well as agreements between the Government and international development institutions. Since 2011, the Damu Fund has carried out programmes for financing small and medium-sized business entities through a loan from the Asian Development Bank (ADB). On the recommendation of ADB, 33 per cent of the funds must be allocated as credit to women entrepreneurs. The Damu Fund places funds in second-tier banks, which offer loans to women entrepreneurs for the replenishment of working capital, as well as the acquisition and modernization of fixed capital, at no more than 14 per cent per annum for an amount of up to 3 million tenge.

132. Since 2015, a programme entitled "Women in Business" has been conducted jointly with the European Bank for Reconstruction and Development, which focuses on providing concessional credit to businesses run by women. One of the main criteria for determining the participants is that the leadership should be carried out by a woman (or women); or a woman (or women) own part or all of the company's capital.

133. Under the component "training the top management of small and medium-sized business" of the State programme "Road map for business — 2020", entrepreneurs study the latest business models and model actual business situations in order to hone their skills in independently resolving issues that arise in the course of business and develop good management skills. Instruction takes place at Nazarbayev University Business School with the involvement of foreign training centres. To date, 286 people have been trained, of whom 119 were women entrepreneurs (42%). Under the State support programme "Road map for business — 2020", since 2012, 71,389 women, or 45.3 per cent of the total number of participants, have received support services.

134. In 2016, under the Danu Fund programme to improve business competencies for 2015–2018, the project "Support for opening a new business" was launched through business service centres. During the entire period of implementation of the project, 1,187 women, or 47.4 per cent of the total number of participants, received support. The Damu Fund also supports entrepreneurs under the Damu-Kemek project, which has provided support to 2,020 entrepreneurs with restricted competencies, including 1,224 women (61%) Thus, State support measures are an effective mechanism for improving the skills of women entrepreneurs and involving them in programmes for financial and non-financial support to small and medium-sized businesses.

Article 13 (c) In accordance with the Physical Culture and Sports Act, State policy in this area aims to ensure healthy lifestyles and to promote physical culture and sports and is conducted on the basis of the principles of voluntary participation, equality and accessibility for everyone. There are no laws or regulations that prohibit the participation of girls and women in sports or physical education. Nor are there any clothing restrictions which prevent women from fully participating in sports. Women and men have equal access to sports equipment and facilities. There are no legal, social, economic or cultural barriers to prevent women from participating in sports or engaging in recreational and cultural activities of any kind.

Article 14. Rural women

135. At the beginning of 2017, there were 7.67 million people living in rural areas, or 42.8 per cent of the total population. They included 3.83 million women (49.9%) and 3.84 million men (50.1%). In 2016, 3.7 million people were employed in rural areas, including 1.7 million women, or 45.7 per cent. In the non-commodity rural sectors, women are active primarily in the service sector. Hairdressing and beauty salons, garment-making workshops, public catering facilities, articles for trade and tourism, medical and dental offices, and pharmacies, are purely female enterprises. More than 90 per cent of the main staff and managers at all levels are women. State

support for the development of small and medium-sized enterprises in rural areas focuses on addressing issues of employment and poverty reduction. Under the roadmap for business — 2020 programme, women, including women living in rural areas, have a priority right to participate in all aspects.

136. A total of 1,400 women have received training in the fundamentals of entrepreneurship, and 1,300 women have opened their own businesses and became fledgling entrepreneurs. A further 1,100 women have been placed in permanent jobs created by recipients of microcredit. In order to increase the competitiveness of the programme participants on the labour market, vocational training has been provided for 3,900 women and more than 80 per cent have been placed in employment. A total of 16,600 women have been placed in social service jobs and youth services. In 2016, in the context of the programme, 1,100 people relocated, including 300 women.

137. In 2015, under the State social service decree, the public fund "Development of youth entrepreneurship" prepared an analytical report entitled "Development of female rural entrepreneurship in Kazakhstan: issues, trends and prospects". For additional information on financial support measures for rural women, see the information on paragraph 2 (g) of this article.

Article 14, paragraph 2 (a) Rural women participate actively in the elaboration and implementation of development planning for their *auls* and villages and work in all branches of the economy. Women account for 11.4 per cent (269 out of 2,360) of the *akims* of villages and rural districts. Measures are being taken to train the specialists needed for the effective socioeconomic development of rural areas. For rural youth, a 30 per cent quota has been established for admission to education institutions at all levels for agricultural, engineering and other fields of study. Graduates of teacher-training and medical higher education institutions who have studied under the quota system are assigned to work in rural areas on an individual basis. Under the Programme for the development of productive employment and mass entrepreneurship, two mechanisms are used: free college-based vocational and technical training for up to 2.5 years, especially for young people from disadvantaged families, and short-term two-track training courses for 1–6 months at colleges and training centres of the Atameken national chamber of commerce, with the involvement of enterprises. The training is offered to all unemployed and self-employed persons, including women. Mobile training facilities are operating on a pilot basis to provide training in work skills in remote rural areas and villages. As of 1 October 2017, 53,600 people had been sent to vocational short-term training, of whom 23,000 were placed in employment.

Article 14, paragraph 2 (b) A number of measures are being implemented to ensure access to medical care for the rural population living in remote and inaccessible areas. Telemedicine has been introduced on a broad scale, and qualified specialists offer remote consultations for patients in remote communities. Since 2011, about 204 telemedical centres have been in operation, providing more than 20,000 consultations annually. Over 2,300 items of medical equipment were purchased for polyclinics in 2011–2013. In order to improve access to health care by pregnant, partum and post-partum mothers and newborns living in remote corners of the country, airborne medical services were introduced in 2011. In 2011, Kazakhstan introduced roadside medical rescue services which provide emergency medical assistance in road accidents and other emergency situations.

138. Under the State educational grant system, an annual quota of 30 per cent is set aside for rural youth entering medical higher education institutions, with a mandatory compensatory assignment of three years in rural medical organizations. Medical and pharmaceutical workers in public sector healthcare organizations working in rural areas and larger villages are provided with additional social support: a salary

supplement in an amount determined by local representative bodies; reimbursement of the cost of communal utilities and fuel from budgetary resources, one-time payment of an installation grant in an amount equal to 70 monthly notional units, benefits for obtaining plots of land, and communal services (in 2017, installation grants were paid to 254 (14%) of young specialists, housing — 141 (8%) of specialists, rental housing — 164 (9% of specialists). Since 2014, more than 1,593 medical specialists have arrived in rural areas. Thus, in relation to paragraphs 25, 26, 31 and 32 of the Committee's concluding observations, steps are being taken in Kazakhstan to increase access to social services and health-care services for women in rural areas.

Article 14, paragraph 2 (c) The rural population, including women, are covered by all current social security schemes in Kazakhstan (see article 11, paragraph (e)).

Article 14, paragraph 2 (d) In the context of the provision of information and advice to agribusinesses through the "Kazagromarketing" regional network, 11,148 agreements for the provision of personal services were signed in 2016. Under the agreements reached during the reporting period, 301,217 services were provided. Also, when agribusinesses apply to rural information and counselling centres, regional representatives provide direct counselling on the spot, without concluding an agreement. On the basis of direct applications, 34,977 services were provided, including 3,588 to women in various aspects of agriculture. The public association "Union of women entrepreneurs of Kazakhstan" over 12 years of work has trained more than 10,000 women, including rural women, providing education and entrepreneurial skills. Its main mission is to enhance the participation of rural women in the economic and public life of society, and to develop democracy and the emergence of a vibrant civil society.

139. A Call centre on land reform has been opened. A special section has been created on the website jerturaly.kz where it is possible to ask questions and receive a detailed response from the competent State bodies.

Article 14, paragraph 2 (e) The activities of cooperatives are governed by the Act on agricultural cooperatives, of 29 October 2015. Any citizen, including any rural woman, has the right to join and participate in the activities of rural consumer cooperatives, and be a manager. According to data from the agrarian census (2010), there are more than 194,000 peasant (farm) holdings and 2.2 million private farms, including 1.4 million in rural areas. They are engaged in crop-growing, livestock raising, orchard production and market gardening. Farms have a significant impact on the country's food supply, generating more than 90 per cent of livestock production and 60 per cent of crop production. The individual household sector produces 95 per cent of milk, potatoes and vegetables, and 45 per cent of eggs.

Article 14, paragraph 2 (f) In accordance with article 101 of the Land Code, all citizens who have specialized agricultural knowledge and qualifications, as well as experience working in the agricultural sector, have the right to acquire land for farming purposes. The law provides for three categories of peasant (farm) agriculture: farms in the form of a family business based on joint ownership; farms based on private enterprise; and farms organized in a simple association.

140. Rural women have the right and the opportunity to participate in all types of collective activities. They work in plants that produce baked goods and canned fruit, vegetables and meat; in workshops for making and mending clothes; and in various types of handicrafts — sewing and embroidery of national costumes and other articles, knitting of headscarves, carpet weaving, making national ceramics, jewellery and so forth. As of 1 January 2017, women headed over 39,000, or more than 20 per cent, of peasant or farming enterprises, while in 2011, their share had been 11 per cent.

Article 14, paragraph 2 (g) With a view to supporting and developing women's entrepreneurship in rural areas, special attention is paid to ensuring rural women's access to credit. Priority areas for the development of women's entrepreneurship in the rural sector include preparing, processing and storage of agricultural products, provision of veterinary services, and also garment and knitwear production, the service sphere and so forth. One form of financial support in the development of women's entrepreneurship consists of programmes carried out by KazAgro National Management Holding, a joint-stock company.

141. Through credit lines of subsidiaries, KazAgro provides financing for spring field operations, agricultural production and processing, agricultural producers' associations and the rural population to carry out joint business, non-agricultural types of activity in rural areas, acquisition of modern agricultural technology, special technologies, technological and processing equipment, including under leasing arrangements, microcredit for middle-and lower-middle-income households in rural localities and so forth. The credit terms under programmes carried out by KazAgro are the most advantageous compared to other financial institutions in Kazakhstan (low-liquid collateral is accepted, and a grace period for repayment of up to two years is granted) and are offered under equal conditions, regardless of gender.

142. The joint-stock company the "Fund for financial support to agriculture" promotes women's entrepreneurship in rural areas through the implementation of 16 credit and microcredit programmes. During the period from 2012–2017, the Fund granted 31,712 loans in rural areas amounting to 81.3 billion tenge, including 10,164 loans to women entrepreneurs (32% of the total) for an amount of 25.1 billion tenge. Microcredit organizations financed by the Fund provided credit to 7,525 end borrowers amounting to 5.7 billion tenge, including 1,984 loans (27%), amounting to 1.3 billion tenge, granted to women. Thus, paragraph 33 (b) of the Committee's concluding observations is being fulfilled through the expansion of women's access to microfinance and microcredit at low interest rates so as to enable them to engage in income-generating activities and to start their own businesses.

Article 14, paragraph 2 (h) There has been a marked improvement in the material and technical basis of the social and engineering infrastructure in rural areas. The proportion of rural communities with a central water supply, enabling rural residents to have access to high-quality drinking water, has increased. The number of rural inhabitants using imported water has declined. There has been a decrease in the number of villages not connected to the central electricity grid, and the rural population receives electricity at preferential rates. Rural fuel needs are met in full in accordance with regulations. The number of villages supplied with gas has increased. Currently, a sectoral programme for 2011–2020 is being implemented for the modernization of housing and municipal services. Its basic aims are to improve the heating, electricity, gas and water supply systems, and to introduce energy-efficient and resource-saving technologies. As a result of the application of systemic approaches, damaged utility networks and structures are expected to be fully repaired and rebuilt by 2020. All rural communities have broadband Internet access.

Article 15. Equality before the law and civil law

Article 15, paragraph 1 According to article 14 of the Constitution, everyone is equal before the law and the courts, and all legislation (the Criminal Code, the Code of Criminal Procedure, the Code of Administrative Offences and other laws and regulations) is directed at implementing this constitutional provision. In accordance with article 13, paragraph 2 of the Constitution, all persons have the right to legal protection of their rights and freedoms. Under procedural legislation, men and women have the same rights and responsibilities, and have equal rights in terms of access to justice and a guaranteed level of legal protection.

143. The State is making systematic efforts to ensure protection of the rights of women involved in criminal proceedings. The Code of Criminal Procedure stipulates that the State guarantees all persons access to justice and compensation for damages in cases and under the procedure established by law. The right to compensation for damages caused by a crime is exercised by filing a civil claim in criminal proceedings. The consideration of a civil claim together with a criminal case in the manner prescribed by the Code of Criminal Procedure is a guarantee of timely protection of the rights and legitimate interests of persons, including women, who have suffered moral, physical or material harm as a result of a crime. Procedural legislation provides for the establishment of a special fund for victims (art. 173 of the Code of Criminal Procedure), and on 10 January 2018, an Act on the victims' compensation fund was adopted.

144. At the same time, the Criminal Code establishes conditions for mitigating criminal penalties against women; in particular, women are not sentenced to the death penalty or life imprisonment; pregnant women, women with children under three years of age, and women aged 58 years and over, are not sentenced to community service; pregnant women, women with children under three years of age, and women aged 58 years and over who have been sentenced to imprisonment are not required to do forced labour; in the case of pregnant women who have been convicted, the court may defer the serving of the sentence for up to one year; for convicted women with young children, the court may defer the serving of a sentence for up to five years, but no longer than until the child reaches the age of 14.

Article 15, paragraph 2 According to article 1 of the Act on the judicial system and the status of judges, everyone is guaranteed judicial protection from any unlawful decisions or actions by State bodies, organizations, officials and other persons which violate or restrict a person's rights, freedoms or legitimate interests. Given that it is based on the fundamental principle of gender equality, domestic legislation prohibits disparities in or restriction on the rights and legitimate interests of citizens on grounds of gender. The Penal Enforcement Code guarantees convicted persons legal assistance from a lawyer or other persons qualified to provide such assistance. Legal advisers at correctional institutions regularly conduct educational initiatives for detainees, in the form of lectures, seminars, training sessions, debates and counselling. There is close cooperation with the judicial authorities, the legal profession and notarial offices. In accordance with the conceptual framework for the legal policy of Kazakhstan for the period 2010–2020, the academic components are legal education and legal advocacy, in other words issues of legal culture. The conceptual framework is designed to raise the legal awareness of the public, including legal literacy among civil servants. In order to implement the objectives of the framework, the Ministry of Justice plans to adopt a conceptual framework for legal education, in which women are one of the target groups. The draft conceptual framework for legal education provides for the implementation of specific measures by the Government, together with the business community, NGOs and education institutions.

Article 15, paragraph 3 Women have equal status with men in questions of legal protection and legal capacity. This is guaranteed in article 13 of the Constitution, pursuant to which everyone has the right to recognition as a person before the law and has the right to defend their rights and freedoms by all means not in contradiction with the law, including self-defence. This constitutional provision has been embodied in domestic law. In accordance with article 48 of the Code of Civil Procedure, plaintiffs are citizens and legal entities who institute proceedings on their own behalf or on whose behalf proceedings have been instituted. The law does not impose any restrictions on grounds of gender on the right to file a claim; thus, women have the same rights as men in this regard. The Code of Civil Procedure, the Code of Criminal Procedure and the Code of Administrative Offences define norms regulating the legal

status of parties to a trial. There are no provisions affecting the weight given to a person's testimony as a function of gender. Also, current procedural legislation and the Lawyers Act do not establish any restrictions on the representation by women of the interests of third parties. In the Jurors Act, there are certain requirements for persons wishing to be jurors, but there is no differentiation on grounds of gender.

Article 15, paragraph 4 According to article 21 of the Constitution, everyone lawfully within the territory of Kazakhstan has the right to freedom of movement within that territory and free choice of place of residence, except in cases specified by law, and also everyone has the right to leave Kazakhstan. Citizens of Kazakhstan have the right freely to return to Kazakhstan.

145. With respect to paragraph 12 of the Committee's concluding observations: under administrative and criminal legislation, women have started to make efforts to seek justice and legal accountability more frequently when faced with violence or discrimination. For example, under a verdict of the specialized inter-district criminal court in the Almaty region of 3 November 2016, supported by the higher courts, a husband was found guilty of attempted murder of his wife on grounds of the development of hostile personal relations and was sentenced to nine years' imprisonment.

146. There have been cases where, in the absence of any explicit indication by a party of a case of discrimination, the court has applied the principle of gender equality. For example, one of the military units made a claim against a female employee for recovery of overpayment of salary. The plaintiff based its claims on the ground that the employee had been assigned to the eighth pay level, instead of the sixth, as a result of which she received an overpayment of salary. By decision of the military court, supported by the higher courts, the claim was rejected. The court found that pursuant to an order of the higher organization, the eighth pay level had been established for male soldiers in the same post, but for female soldiers the sixth pay level was applied. Meanwhile, the duties were the same. Consequently, the court, at the request of the respondent's representative, delivered a private decision to the Office of the Procurator-General requesting it to verify compliance of the order with the requirements of the Equality Act.

Article 16. Equality in marriage and family law

Article 16, paragraph 1 (a) and (b) Marriage and family relations are regulated by the Code on marriage. In accordance with the Code, marriage is an equal union between a man and a woman, concluded with the free and full consent of the parties under the procedure established by law, for the purpose of founding a family, and giving rise to material and personal, non-material, rights and obligations between the spouses. According to article 2 of the Code, only marriages performed by the State bodies are recognized. Marriage requires the free and full consent of the man and woman getting married, who must be of legal age for marriage. Article 10 of the Code establishes the same legal age for marriage for men and women — 18 years, which may be lowered by up to two years. Reduction of the legal age for marriage must be based on specific circumstances, such as pregnancy of the bride or the existence of a child of both parties. Moreover, an application must be made for reduction of the age requirement for marriage, and submitted by the parties wishing to get married, and their parents or guardians. In all cases, the consent of the minors to reduction of the age requirement for marriage and their desire to marry must be established. The parties getting married must confirm their consent not only in writing, but also at the marriage registration ceremony. This requirement is one of the conditions for the protection of human rights in cases of coercion and bride theft, which are criminal offences.

Article 16, paragraph 1 (c) The rights and responsibilities of the spouses begin from the day of registration of the marriage by the State. Spouses have equal rights and responsibilities. Both spouses are free to choose their field of activity, occupation, and faith. Issues related to motherhood, fatherhood, the upbringing and education of children, place of residence, residence of the spouses and other aspects of family life must be resolved jointly by the spouses. The family relations of the spouses must be based on mutual respect and mutual assistance, promotion of the well-being and strengthening of the family, and concern for the health, development and welfare of their children.

147. According to article 16 of the Code, a marriage may be dissolved on the basis of a petition filed by one or both spouses, and also of a petition by the guardian of a spouse who has been recognized by the court to be incompetent. During pregnancy or the first year of a child's life, a marriage cannot be dissolved without the consent of the wife. A marriage may be dissolved in the registration bodies by mutual consent between spouses who have no minor children together, and in the absence of material or other claims against each other. When a marriage is dissolved in court, the spouses may submit for consideration an agreement regarding which of them will have custody of their minor children, the arrangements for the payment of child support and (or) support for a spouse who is unable to work, the amount of such support, and the division of jointly owned property.

Article 16, paragraph 1 (d) In accordance with article 68 of the Code on marriage, parents have equal rights and equal responsibilities in relation to their children. Under article 70 of the Code, parents bringing up a child have the primary responsibility for ensuring, to the best of their abilities and financial capacities, the living conditions necessary for the child's physical, psychological, moral and spiritual development. The parents, in the event of disagreement between them, are entitled to apply for resolution of such disagreements in the child welfare agency or in court. Under article 138 of the Code, parents must support their minor children. If they fail to do so, child support payments are recovered from them under a court order. The Code establishes child support obligations for spouses and former spouses, including the right of a wife or former wife (following dissolution of the marriage) during pregnancy and for three years following the birth of a child of both spouses, and also the right of a needy spouse who is caring for a disabled child of both spouses, to demand child support payments from the other spouse with the means to pay (arts. 147–148) Parents are the legal representatives of their children and protect their rights and interests in relations with any individuals or legal entities, including in the courts, without requiring special authorization.

Article 16, paragraph 1 (e) In accordance with the Code on public health and the healthcare system (hereinafter — the Health Code), women and men have the right to free reproductive choice. The right to decide on the number of children and timing of births, within or outside marriage, birth spacing necessary to protect the health of mother and child, and also artificial interruption of pregnancy, is granted to the woman (art. 96).

Article 16, paragraph 1 (f) According to article 73 of the [Marriage and Family Act], when the parents live apart, the children's place of residence is determined by agreement between the parents. In the absence of such agreement, disputes between the parents must be resolved through mediation or by a court, with the participation of the child welfare authorities if so requested by the parents, on the basis of the interests of the child and taking into account the child's views. The death of the husband does not result in a restriction of the parental rights of the children's mother. A woman's right to custody of her children is not lost in the event of marriage or divorce. Women have the same rights as men with regard to custody, guardianship and adoption.

148. Under the legislation in force, a woman's marital status does not affect her parental rights. The right of single parents to child support from the other parent is exercised quite effectively in practice. Pursuant to article 135 of the Code of Civil Procedure, cases concerning recovery of child support are generally considered by the courts in writ (summary) proceedings. Any disputes are considered in ordinary proceedings. Practice shows that the majority of claims are filed by women against the fathers of their children, since, when a marriage is dissolved, minor children usually remain with the mother.

149. The child welfare authorities also have the right to file claims in court to recover child support for minor children from their parents. The prosecutor has the same procedural right to file a claim on behalf of minor children. Child support payments for children placed under guardianship, wardship or foster care are credited to deposit accounts for such children, opened in second-tier banks (art. 142). Child support recovered from parents for children in educational, medical or other institutions is credited to accounts for children living in orphanages and children deprived of parental care. The directors of institutions for orphans and children deprived of parental care are not entitled to withdraw from the bank accounts of such children funds received from child support payments, benefits and other social payments (art. 128). Under the Health Code, either parent may be required by the court to pay for additional expenses arising from serious illness or injury to a minor child or, in the case of disabled adult children who require assistance, the need for outside care, or other circumstances. The court may require the parents to participate in the payment not only of additional costs already incurred but also of additional expenses needed to care for a child in the future. According to article 143 of the Health Code, parents are also obliged to support their disabled adult children in need of assistance.

150. In order to support mothers bringing up children on their own, the project "Child support. 30 steps against non-payment" is being implemented in order to establish an effective system for the recovery of child support. A single register of persons owing child support has been established, and a number of legislative initiatives have been proposed, directed against unscrupulous persons owing child support. Data from the register is now used to apply restrictive measures against persons owing child support. Over the past two years, in coordination with prosecutors, the authorized bodies have placed 4,500 people owing child support in employment.

Article 16, paragraph 1 (g) Article 31 of the [Marriage and Family Act] provides that, when they marry, the spouses may choose one of their surnames, if they so wish, as the common surname, or each of the spouses may keep his or her premarital surname, or may append the surname of the spouse to his or her own surname. Surnames cannot be joined if one of the spouses has a double-barrelled surname. A change in the surname of one of the spouses does not entail any change in the surname of the other spouse. If the marriage is dissolved, each spouse is entitled to keep the common surname or to revert to their premarital surname. In more than 50 per cent of marriages, the trend is for spouses to choose a common surname; about 10 per cent of couples prefer to combine the surnames of the two spouses. The right to a profession and to employment for women is guaranteed by article 24 of the Constitution. When women marry, they do not forfeit any rights or freedoms. Human rights and freedoms belong to everyone from birth, and are recognized as absolute and inalienable. They determine the content and application of laws and other regulatory acts.

Article 16, paragraph 1 (h) In accordance with article 32 of the Code, the legal regime for marital property is the regime of common joint ownership, unless otherwise stipulated in the marriage contract. Property acquired by spouses during the marriage is under their common joint ownership. Income earned by each of the spouses from work performed, entrepreneurial activity or intellectual activity, income

from common property of the spouses and separate property of each of the spouses, and pensions, allowances, pension accumulations or other monetary payments received which are not specifically targeted (material assistance, amounts paid in compensation for loss of working ability as a result of injury or other damage to health, and so forth) are considered to be property acquired by the spouses during the marriage. Moveable and immoveable property, securities, shares, contributions, or shares in capital deposited with credit institutions or other organizations, or any other property acquired by the spouses during the marriage, regardless of in whose name it was acquired or which of the spouses deposited the financial resources, are also considered to be common property of the spouses. The right to common property of the spouses also belongs to a spouse who, during the period of marriage, managed the household, cared for the children or for other valid reasons did not have an independent income.

Article 16, paragraph 2 There is no provision in domestic legislation for the betrothal of children, which is in violation of the Code. No case involving the betrothal of a child has been recorded. Thus, paragraph 35 of the Committee's concluding observations is being fulfilled.

Conclusion

151. Kazakhstan is taking concrete measures to implement the Convention. The Gender Equality Strategy for the period 2006–2016 has been implemented, and two new gender-related acts are in effect: the Equality Act and the Domestic Violence Act. The statistical compendium "Women and Men of Kazakhstan" is being published annually. The following have been adopted: the conceptual framework for family and gender policy in Kazakhstan up to the year 2030, and the plan of action for 2017–2019 for the implementation of the first phase of the conceptual framework (2016); the Pensions Act, establishing the same retirement age for men and women (2013); the Employment Act, which sets standards for the employment of people caring for children up to seven years of age, children with disabilities, and disabled persons in categories I and II (2016); the new version of the Criminal Code, which introduced 10 articles on the application of criminal penalties to punish offences and compensate for harm caused to women and girls who have been subjected to violence (2014); the new version of the Code of Administrative Offences, which introduced norms for the application of administrative penalties to protect women (2014); the new version of the Labour Code, which introduced provisions aimed at protecting the health of women in the workplace (2015); the Code of Ethics for civil servants, providing for measures to exclude all forms of discrimination and attacks on the honour or dignity of employees (2015); and Densaulyk, one of the main objectives of which is to ensure health services for women (2016).

152. In 2014, the Day of the Family was established in Kazakhstan; an annual national competition *Mepeŭni Otbasy* (Model Family) is held, and the institution of the Ombudsman for Children's Rights has been established (2016). In addition, effective measures are being taken to ensure legal protection for women victims of domestic violence. A wide-ranging social project "Kazakhstan without domestic violence" is being implemented, and a road map has been developed aimed at creating effective mechanisms of prevention, inter-departmental cooperation, and an effective system of assistance to victims of violence and rehabilitation of offenders.

153. Work is currently under way to formulate an act on the introduction of amendments and additions to certain legislative acts of the Republic of Kazakhstan on issues of family and gender policy, aimed at improving the legislation in line with the Committee's concluding observations, as well as the recommendations of the OECD Council on Gender Equality.

154. In conclusion, all domestic legislation is directed at achieving de facto social equality between men and women. The Government of Kazakhstan will continue to take steps to implement the provisions of the Convention and address the Committee's concluding observations.